

## **AGENDA**

### **BOARD OF MAYOR AND ALDERMEN**

**May 15, 2007**

**7:30 PM  
Aldermanic Chambers  
City Hall (3<sup>rd</sup> Floor)**

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.
3. City Year Convention update.

### **CONSENT AGENDA**

4. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

### **Sidewalk Petitions – Approve Subject to the Availability of Funding**

- A. Communication from Jay Davini, Public Utilities Coordinator, submitting sidewalk petitions for the 50/50 Program FY2007.

### **Informational – to be Received and Filed**

- B. Communication from Thomas Arnold, Deputy City Solicitor, responding to inquiries by Alderman Gatsas relative to MCAM funding.
- C. Minutes of the April 18, 2007 meeting of the Mayor's Utility Coordinating Committee.
- D. Minutes of the March 27, 2007 meeting of the MTA Commission and the Financial and Ridership Reports for March 2007.
- E. Communication from Ken Donahue relative to the pending sale of Verizon communications to Fairpoint Communications of North Carolina.

## **REFERRALS TO COMMITTEES**

### **COMMITTEE ON BILLS ON SECOND READING (Concurrent Referral to Public Hearing on Monday, June 4, 2006 at 6:30 PM)**

- F. Rezoning petition submitted by Raymond Shea on behalf of David Larivee for property located at 116 So. Main Street.
- G. Rezoning petition submitted by Attorney James Craig on behalf of Frederick Nixon, Jr. for property located at 466 So. Willow Street.

### **COMMITTEE ON FINANCE**

#### **H. Resolutions:**

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Eighty Seven Thousand Five Hundred Eighteen Dollars (\$87,518) for the FY2007 CIP 214507 Citizens Readiness Initiative.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Five Hundred Ten Dollars (\$10,510) for the FY2007 CIP 214607 Pandemic Flu Planning.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Ten Thousand Two Hundred Seven Dollars (\$210,207) for the FY2007 for Fire Department’s Security Fiber Connections Project and the 2007 HazMat Allocation Project.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Dollars (\$30,000) for the FY2007 CIP 612707 Neighborhood Pride – Youth Employment (Cleanstreets) Program.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Five Hundred Ninety Nine Thousand Seven Hundred Ninety Eight Dollars and Twenty Eight Cents (\$599,798.28) for the FY2007 CIP 712207 Hands Across The Merrimack Project.”

“Amending the FY2001, FY2003, FY2005, FY2006 and FY2007 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Two Million One Hundred Twenty Thousand Dollars (\$2,120,000) for various CIP Projects.”

“Authorizing the Finance Officer to effect a transfer of Fifty Five Thousand Dollars (\$55,000) from Contingency to Police.”

“Authorizing the Finance Officer to effect a transfer of One Thousand One Hundred Fifty Dollars (\$1,150) from Contingency to Civic Contributions.”

## **REPORTS OF COMMITTEES**

### **COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS**

- I. Recommending that the Board approve a request to hang a banner on Elm Street at the start of the CIGNA HealthCare/Elliot Hospital Corporate Road Race on August 9 be granted and approved subject to coverage of any liability by the City as determined by the Risk Manager.  
*(Unanimous vote)*
- J. Recommending that the Board of Mayor and Aldermen issue a directive to all departments that when purchasing office supplies, printer and fax toner cartridges or copy paper they make every effort to do so under the terms and conditions of the contract with W. B. Mason.

The Committee notes that the Highway Department Purchasing Division will provide information to the departments relating to the contract as generally outlined herein.  
*(Unanimous vote)*

## COMMITTEE ON COMMUNITY IMPROVEMENT

- K.** Recommending that acceptance, transfer and expenditure of funds for various projects outlined below:

214507 Cities Readiness Initiative \$87,518  
214607 Pandemic Flu Planning \$30,510  
412507 HazMat Allocation Project \$73,425  
412607 Security Fiber Connections Project \$136,782  
612707 Neighborhood Pride –Youth Employment (Cleanstreets) \$30,000  
712207 Hands Across the Merrimack \$599,798.28  
810306 Economic Development Planning/Master Plan (Revision #1) -  
project extension through 12/31/07

be granted and approved and for such purpose amending resolutions and budget authorizations have been submitted.

*(Unanimous votes)*

- L.** Recommending that petitions:

Layout and discontinuance of a portion of Elm East Back Street  
(AKA Manhattan Lane, AKA Harry Theo Drive); and

Discontinuance of a portion of Litchfield Lane

be referred to a Road Hearing at a date to be set by the City Clerk.

*(Unanimous vote)*

- M.** Recommending that the City approve a loan of \$500,000 for the Stella Arms Workforce Housing Project earmarking funds in the FY08 CIP Housing Initiatives Program.

*(Unanimous vote)*

- N.** Advising that it has requested staff to prepare documents to provide that the City agree to extend the term on the 2<sup>nd</sup> mortgage relating to Lowell Terrace Associates property located at the northwest corner of Lowell and Chestnut Streets to coincide with the expiration of the existing first mortgage in 2013.

*(Unanimous vote)*

## COMMITTEE ON JOINT SCHOOL BUILDINGS

- O. Advising that it has accepted the monthly report for April 2007 as submitted by DMJM, and is forwarding same to the Board for informational purposes.  
*(Unanimous vote with the exception of School Committee Member Herbert who was absent.)*

**LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.**

5. Nominations to be presented by Mayor Guinta, if available.
6. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Community Improvement to meet.
7. Mayor Guinta calls the meeting back to order.
8. Report(s) of the Committee on Community Improvement, if available.  
**Ladies and Gentlemen, what is your pleasure?**
9. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
10. Mayor Guinta calls the meeting back to order.

## OTHER BUSINESS

11. Report(s) of the Committee on Finance, if available.  
**Ladies and Gentlemen, what is your pleasure?**

12. Report(s) of the Committee on Lands and Buildings, if available.  
**Ladies and Gentlemen, what is your pleasure?**
13. Report(s) of the Committee on Public Safety and Traffic, if available.  
**Ladies and Gentlemen, what is your pleasure?**
14. State Legislative update to be presented by Mayor Guinta, if available.
15. Communication from Mayor Guinta recommending a FY2007 spending freeze.  
**Ladies and Gentlemen, what is your pleasure?**
16. Communication from Mayor Guinta regarding Operation Street Sweeper funding.  
**Ladies and Gentlemen, what is your pleasure?**
17. Communication from Kevin Dillon, Airport Director, seeking authorization to negotiate and execute documents related to the partial purchase of parcels, payment for construction easement and payment for diminution of value relating to the construction project to extend the safety areas of Runway 6-24.  
**If the Board so desires, a motion is in order to authorize the Airport Director to negotiate and execute documents relating to Runway 6-24 construction project, subject to the review and approval of the City Solicitor.**
18. Communication from Leo Bernier, City Clerk, suggesting an alternate date of Tuesday, July 10, 2007 for the regularly scheduled July Board meeting rather than Tuesday, July 3, 2007.  
**Ladies and Gentlemen, what is your pleasure?**
19. Communication from Joan Porter, Tax Collector, requesting to eliminate the fee charged for the tax warrant.  
**Ladies and Gentlemen, what is your pleasure?**

20. Communication from Messrs. Dave Nixon and Mike Craig requesting a waiver of golf green fees in conjunction with the Manchester/Cashin Senior Activity Center Building Fund Golf Tournament to be held at the Derryfield Country Club on Monday, September 10, 2007.

**Ladies and Gentlemen, what is your pleasure?**

21. Resolutions: (A motion is in order to read by titles only.)

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Eighty Seven Thousand Five Hundred Eighteen Dollars (\$87,518) for the FY2007 CIP 214507 Citizens Readiness Initiative.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Five Hundred Ten Dollars (\$10,510) for the FY2007 CIP 214607 Pandemic Flu Planning.”

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“Authorizing the Finance Officer to effect a transfer of Fifty Five Thousand Dollars (\$55,000) from Contingency to Police.”

“Authorizing the Finance Officer to effect a transfer of One Thousand One Hundred Fifty Dollars (\$1,150) from Contingency to Civic Contributions.”

**If the Board so desires, a motion is in order that the Resolutions pass and be Enrolled.**

### **TABLED ITEMS**

**A motion is in order to remove any of the following items from the table for discussion.**

**22. Appropriating Resolution:**

*(If item removed, a motion is in order to read by title only.)*

“A Resolution appropriating to the Parking Fund the sum of \$5,299,591 from Parking for the Fiscal Year 2008.”

*Following reading by title amendments if any are in order followed by a motion that the Appropriating Resolution pass and be Enrolled (as amended).*

*(Tabled 04/17/2007)*

**23. Appropriating Resolution:**

*(If item removed, a motion is in order to read by title only.)*

“A Resolution appropriating to the Central Business Service District the sum of \$244,000 from Central Business Service District Funds for Fiscal Year 2008.”

*Following reading by title amendments if any are in order followed by a motion that the Appropriating Resolution pass and be Enrolled (as amended).*

*(Tabled 04/17/2007)*

**24. Resolution:**

*(If item removed, a motion is in order to read by title only.)*

“Continuation of the Central Business Service District.”

*Following reading by title unless there be amendments, a motion that the Resolution pass and be Enrolled would be in order.*

*(Tabled 04/17/2007)*



25. Removal \$1.2 million from the Health Insurance line to the Health Insurance Reserve Fund effective July 1, 2007 as proposed by Alderman Gatsas.  
*(Tabled 05/01/2007)*
26. Report of the Committee on Bills on Second Reading recommending that Ordinance:  
“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.”  
ought to pass.  
*(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)*  
*(Tabled 09/05/2006)*
27. Report of the Committee on Bills on Second Reading recommending that Ordinance:  
“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery.”  
ought to pass.  
*(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)*  
*(Tabled 09/05/2006)*
28. Communication from Randy Sherman, Deputy Finance Officer, updating the Board on status of payments due the City on the Bridge and Elm project.  
*(Tabled 04/03/2007)*
29. **NEW BUSINESS**
  - a) Communications
  - b) Aldermen

30. **Mayor Guinta advises that immediately following adjournment the Board will hold a negotiation strategy session with the Chief Negotiator and if there is no further business a motion is in order to adjourn.**



**City of Manchester  
Department of Highways**

227 Maple Street  
Manchester, New Hampshire 03103-5596  
(603) 624-6444 Fax # (603) 624-6487

**Commission**


Edward J. Beleski  
- Chairman  
Joan Flurey  
William F. Houghton Jr.  
Robert R. Rivard  
William A. Varkas

Frank C. Thomas, P.E.  
Public Works Director

Kevin A. Sheppard, P.E.  
Deputy Public Works Director

- MEMORANDUM -

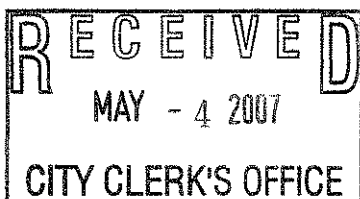
TO: Paula LeBlond – Kang  
2<sup>nd</sup> Deputy City Clerk

FROM:  Jay W. Davini  
Public Utilities Coordinator

DATE: May 3, 2007

RE: Sidewalk Petitions – 50/50 Program FY2007

Please submit all the Sidewalk Improvement Petitions you are currently holding to the Board of Mayor and Aldermen for approval.



A



TO THE HONORABLE BOARD OF MAYOR AND  
ALDERMEN:

07 APR 19 01 20

I/we, JANET DESMARAIS, the  
Name(s)

owner(s) of the real estate abutting upon 69 FLORENCE ST.  
Street Address

Manchester, NH 03104

Description (including footage): INSTALL GRANITE CURBING  
on CONCORD ST. PROPERTY LINE of 69 FLORENCE  
ST. FROM westerly line of cement walkway to  
AROUND CORNER of CONCORD onto FLORENCE ST  
For 5 ± 1 Feet - TOTAL LENGTH of NEW CURBING 80 ± 2 feet

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage NORTHERLY PROPERTY LINE
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Janet Desmarais

Owner

Agent - Robert A. DESMARAIS MD

Robert A. Desmarais MD

Owner

101 BRUCE ROAD - MANCHESTER N.H. 03104

Mailing Address

cell 540-7479

Phone #:

Home 669-2988

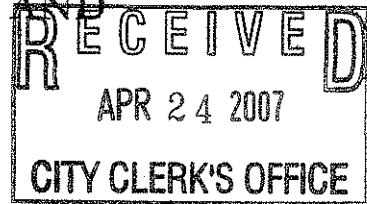
Date:

4-19-07

A



TO THE HONORABLE BOARD OF MAYOR AND  
ALDERMEN:



I/we, JOAN + Richard Holley, the  
Name(s)

owner(s) of the real estate abutting upon 167 North Gate  
Street Address

Manchester, NH 0310

Description (including footage):

CORNER LOT - Radcliff + North Gate  
193 FT.

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

[Signature]  
Owner

Richard Holley  
Owner

167 N. Gate Rd, Manchester, NH. 03104  
Mailing Address

Phone #:

669 0930

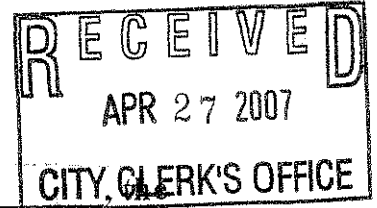
Date:

4/22/7

A



TO THE HONORABLE BOARD OF MAYOR AND  
ALDERMEN:



I/we, Joshua + Angie Dube  
Name(s)

owner(s) of the real estate abutting upon 56 Wellesley St  
Street Address

Manchester, NH 03104

Description (including footage): Replace Asphalt curbing on Wellesley St  
and north bend to granite curbing. Approx. 250-275 ft of curbing

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed: [Signature]  
Owner

AJDube  
Owner

56 Wellesley St Manchester NH 03104  
Mailing Address

Phone #: 603 623 3844

Date: 4/24/07

A



TO THE HONORABLE BOARD OF MAYOR AND ALDERMEN:

RECEIVED  
CITY OF MANCHESTER  
APR 27 2007

'07 APR 27 P2:13

I/we, Michael and Kris Rafferty, the  
Name(s)

owner(s) of the real estate abutting upon 229 Prospect St.  
Street Address

Manchester, NH 03104

Description (including footage): 2 Family dwelling  
80 ft. frontage

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☒ A sidewalk be reconstructed along said frontage
- ☐ Curbing be installed along said frontage
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Kris Rafferty  
Owner

229 Prospect St. Manchester NH 03104  
Mailing Address

Phone #: 603 623 7219

Date: April 27, 2007

A



TO THE HONORABLE BOARD OF MAYOR AND  
ALDERMEN:

RECEIVED  
MANCHESTER

07 MAY -2 P2:26

I/we, JOSEPH E.R. & JEANNINE LABORE, the  
Name(s)

owner(s) of the real estate abutting upon 1020 CILLEY RD (DUPLEX)  
Street Address

Manchester, NH 03103

Description (including footage): TWO FAMILY HOME AT  
1020 CILLEY RD (MAP/LOT 0421/0014)  
FRONT FOOTAGE ON CILLEY RD IS 66.74' INCLUDING  
ASPHALT DRIVEWAYS ON EITHER SIDE OF DUPLEX

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage LESS DRIVEWAYS
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Joseph E.R. Labore  
Owner

Jeannine Labore  
Owner

1020 CILLEY RD., MANCHESTER, N.H. 03103  
Mailing Address

Phone #: 603-624-1322

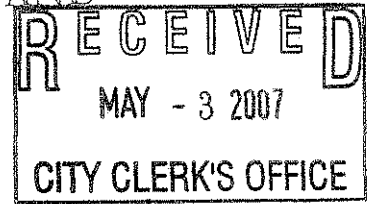
Date: APRIL 30, 2007

A





TO THE HONORABLE BOARD OF MAYOR AND  
ALDERMEN:



I/we, NORMAN A & ANN J BOURGEE, the  
Name(s)

owner(s) of the real estate abutting upon 176 PEAK ST  
Street Address

Manchester, NH 0310

Description (including footage):

112 FT. OF CURBING LOT SIZE

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Norman A Bourgee  
Owner

Ann J Bourgee  
Owner

780 CHESTNUT ST  
Mailing Address

Phone #:

603 627 3357

Date:

5-3-07

A



TO THE HONORABLE BOARD OF MAYOR AND  
ALDERMEN:

07 MAY -4 P1:17

I/we, FRANK JOHNSTON + JANICE, the  
Name(s)

owner(s) of the real estate abutting upon 340 KNOWLTON ST.  
Street Address

Manchester, NH 0310

Description (including footage): 40' STREET CURBING & GRANITE,

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Frank + Janice Johnston  
Owner

340 KNOWLTON ST.  
Mailing Address

Phone #:

622-8074

Date:

5/4/07

19



TO THE HONORABLE BOARD OF MAYOR AND  
ALDERMEN:

MANCHESTER

07 MAY -4 P2:44

I/we, GERALD & KAREN CHAUVETTE, the  
Name(s)

owner(s) of the real estate abutting upon 225 DUNBARTON Rd  
Street Address

Manchester, NH 0310

Description (including footage): 100' FRONTAGE INCLUDES  
WIDTH OF DRIVEWAY & SMALL DIVIDING LAND

desire that:

- ☒ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Gerald R Chauvette  
Owner

Karen M Chauvette  
Owner

225 DUNBARTON Rd MANCHESTER, NH  
Mailing Address 03102

Phone #:

603 669 2040

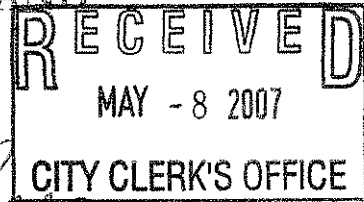
Date:

5/5/2007

A



TO THE HONORABLE BOARD OF MAYOR AND  
ALDERMEN:



I/we, CAROL GOMYER & MAURICE CARON, the  
Name(s)

owner(s) of the real estate abutting upon 637 AMHERST ST.  
Street Address

Manchester, NH 0310

Description (including footage): APPROX 84' CURBING

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Carol Gomyer Owner  
Maurice A. Caron Owner  
637 AMHERST ST. MANCHESTER  
Mailing Address

Phone #:

603 669 1414

Date:

May 7, 2007

A



TO THE HONORABLE BOARD OF MAYOR AND  
ALDERMEN:

07 MAY -8 12:26

I/we, Jamie + Deborah Jordan, the  
Name(s)

owner(s) of the real estate abutting upon 40 Windward Lane  
Street Address

Manchester, NH 03104

Description (including footage): 54' of curbing along  
front of property

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☐ A sidewalk be reconstructed along said frontage
- ☒ Curbing be installed along said frontage replaced
- ☐ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Deborah Jordan 5/8/07  
Owner

Owner

40 Windward Ln, Manchester, NH 03104  
Mailing Address

Phone #:

603-627-2980 home  
603-682-1856 cell

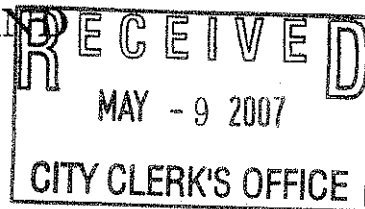
Date:

5/8/07

A



TO THE HONORABLE BOARD OF MAYOR AND  
ALDERMEN:



I/we, KAREN MALLET, the  
Name(s)

owner(s) of the real estate abutting upon 782 BEECH ST.  
Street Address

Manchester, NH 03104

Description (including footage):

45' CURB 8' CURB

ASPHALT - 6' 7" wide & DRIVE

Tree to be removed by Public Service -

= Remove Stump & roots raising sidewalk &

Prepare base -

desire that:

- ☐ A sidewalk be constructed along said frontage
- ☒ A sidewalk be reconstructed along said frontage
- ☐ Curbing be installed along said frontage
- ☒ Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

Karen Mallet  
Owner

Agent Robert Desmarais  
Owner

782 Beech St MAN. 03104

Mailing Address

Phone #:

669-3398 HOME

Date:

5-9-07

→ Prefer calls to

Bob 540-7479

A



**City of Manchester  
Office of the City Solicitor**

One City Hall Plaza  
Manchester, New Hampshire 03101  
(603) 624-6523 Fax (603) 624-6528  
TTY: 1-800-735-2964  
Email: [solicitor@ManchesterNH.gov](mailto:solicitor@ManchesterNH.gov)

Thomas R. Clark  
City Solicitor

Thomas I. Arnold, III  
Deputy City Solicitor

Daniel D. Muller, Jr.  
Michele A. Battaglia  
Gregory T. Muller  
Michael A. Beausoleil

May 2, 2007

Theodore Gatsas  
105 Birchwood Road  
Manchester, New Hampshire 03104

**Re: MCAM**

Dear Ald. Gatsas:

At last night's Board of Mayor and Aldermen meeting you asked if the City could alter Manchester Community Access Media, Inc.'s (MCAM, INC.) funding. You also stated that there had been a previous request for this information. As I was not aware that you had made a prior request I did a quick search of the minutes of the Committee on Administrations minutes for February and March of this year. While I did not find any requests for information on MCAM INC's funding I apologize if I did miss your request for this information.

As you are aware there is an agreement, dated April 26, 2005 between the City and MCAM INC. Paragraph 13A of the agreement provides:

The City shall provide to MCAM INC. Inc. – for the duration of this agreement funding based on the following formula: One-fifth (20%) of the cable franchise fee shall be paid directly to MCAM INC. Inc. on an annual basis. The formula for determining payment shall be as follows: 1% of the cable company's applicable gross receipts that is due the City of Manchester for the sum of the previous 4 (four) quarters ending FY June 30<sup>th</sup> of each year for the duration of this contract. Said payment shall be due and payable to MCAM INC. Inc. on or before the October 31<sup>st</sup> each year that this contract shall be in effect.

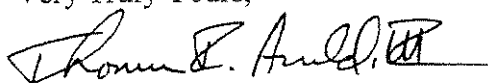
There is no provision in the agreement for modification of MCAM, INC.'s funding. Consequently, MCAM INC. funding can only be modified by mutual agreement between the City and MCAM INC.

B

I would note; however, that Paragraph 2 of the agreement states, in part, that "the City may, in its sole discretion, revoke the designation of MCAM, INC. as access provider for the City's public access channels." Paragraph 17A states "The City shall have the right to terminate this Agreement, including all funding provided for under Paragraph 13, upon one hundred twenty (120) days written notice to MCAM, INC. for: . . . Revocation of the designation of MCAM, INC. as access provider for the City's public access channels.

I hope that the foregoing provides the information you were seeking. If not, or if I can provide anything further please let me know.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Thomas I. Arnold, III", with a horizontal line extending to the right.

Thomas I. Arnold, III  
Deputy City Solicitor

TIA/hms

pc: Board of Mayor & Aldermen

R



## MAYOR'S UTILITY COORDINATING COMMITTEE

April 18, 2007

**Chairman's Synopsis:** Construction season is in full swing, with work on Granite Street, Foundry Street, Second Street, Boynton Street, Kelley Street, all on the west side. Candia Road reconstruction is also underway with the Cohas Interceptor Sewer beginning off Zachary Road heading east. Site work continues behind the Four Seasons Market, at Cilley Road and Maple Streets and at Woodbury and South Main Streets among others. The creation of 57 housing units at the mill at Silver and Maple Streets is moving along.

~ ~ ~ ~ ~

The meeting was called to order by Peter Capano at 10:05 AM.

### MANCHESTER HOUSING & REDEVELOPMENT

#### Ward

- #3 157 Chestnut St. – MHRA intends to relocate the offices of the Construction Division from 89 Pine St. to this property. Ferd Construction continues work. Work is complete. A certificate of occupancy has been issued.
- #12 French Hall – J.P. Sercel Assoc. (Lazer design/production firm) currently renovating the property. Occupancy has been rescheduled.
- #12 Northwest Business Park – Planning Board held subdivision hearing in December. Hearing raised questions regarding traffic impact, wetlands impact and buffers. Oest Engineering updated the Planning Board at their February meeting.
- #11 Brown School – An addition will be made to the former school building so as to accommodate 34 units of Elderly Housing. North Branch Construction continues on construction. Framing for addition continues. Installation of windows in the existing building continues. Interior framing of existing building has begun.
- #3 Jac-Pac – Continuing to look for interim use proposals. CMC continues to use the site for parking during construction of the parking garage on McGregor Street. Early in December, a developer's conference was held at the site. Development proposals are due in late January. One development proposal received.

### STATE PROJECTS

- #6 Candia Road [Bypass 28-I-93] – R.S. Audley is under contract with the N.H.-D.O.T. for this road reconstruction project. The east end of the job is paved. Project will begin soon proceeding towards the west. Completion expected in Spring of 2008.



## Ward#

### **#11** Granite St./F.E.

Everett Trnpk Imprv.

- The NHDOT "C" contract was awarded to Middlesex Corp. of Mass. at \$28,687,750 which includes the City's work on Granite Street between Main St. and the river plus turnpike work. The new southbound lane bridge on the Everett Turnpike is in service. Northbound traffic has been put on the new bridge. Abutments for the new northbound bridge will be complete soon with steel to be placed soon after.

The City's Granite St. Bridge Contract was awarded to E.D. Swett, the low bidder at \$11.7 million. Most of the steel is now in place. The remainder of the City's (Contract "E") Granite Street work (Commercial St. to Elm St.) will be bid April 19, 2007.

### **#8** Airport Access Road

- The NH Department of Transportation's bidding the Merrimack River Crossing Bridge in April. This will be a three-year project. The bridge over Route #3 in Bedford will be bid in May. HTA has designed the relocation of the Trolley Crossing Pump Station force main for EPD.

## **PLANNING/BUILDING**

### SUBDIVISIONS

- #12** Woodland Pond - 77 lot subdivision for single-family homes approved with roads off Countryside Blvd. Work has begun on last phase.
- #1** McLane Way - Seven unit planned development is under construction.
- #6** Grand View Estates - 15 homes proposed on an extension of Lindstrom Lane is under construction.
- #2** Sky Meadow Way - 4 unit planned development approved off Currier Drive. Three houses now complete.
- #3** 167 Silver St. - One 7 and one 8 unit condos approved by Planning Board. First building well underway.
- #8** 270 Stanton St. - 4 new lots approved by Planning Board. Utility work underway on one lot.

### SITE PLANS

- #3** Chinburg - Multiple residential townhouses are under construction with two high-rise towers to follow just south of Fisher Cats Stadium. Some occupancy permits have been issued.

## Ward#

- #2 166 LaGrange Ave. - Islamic Society Mosque foundation permit issued from Building Department.
- #12 25 Hackett Hill Rd. - The Gables project, 52 units. Three buildings are done, the next one is underway.
- #2 845 Mammoth Rd. - One three story, 10 unit building approved by Planning Board.
- #10 800 Second St. - The Planning Board has approved a proposal for a two story 4,748 S.F. Subaru auto sales and service facility with parking.
- #6 Hobbs Way - Five houses to be built off Bridge Street Extension.
- #5 661 Bell St.  
"Vista View" - Combination of 12 handicap access apartments & 26 townhouses. One townhouse is occupied, a building permit has been issued for the third building.
- #9 915 S.Mammoth Rd. - Three self-storage units has Planning Board approval.
- #7 Maple/Silver Sts. - Mill proposal to be converted to 57 units of housing. (Manchester Neighbor Works) Building permits have been issued.
- #2 978 Mammoth Rd. - "Mammoth Oaks" 8-unit planned development approved, construction has begun.
- #11 CMC - Project consists of a new medical office building and a parking garage. The Parking Garage is up. Walkway over McGregor St. to be built. Harvey Construction managing this project.
- #6 1070 Holt Ave. - Industrial building is almost complete.
- #12 The Neighborhood  
@ Woodland Pond - 487 Units on 110 acres bordering Goffstown and Hooksett at Hackett Hill approved by Planning Board. Work is underway on extension of Countryside Blvd. Townhouses and condos under construction.
- #2 Currier Museum  
of Art - Expansion of building towards Orange St. and parking lot on the Prospect Street is well underway. Expansion is enclosed.
- #6 Karatzas Ave. - Three building lots with 200 housing units approved by the Planning Board.
- #6 1207 Hanover St. - Rehabilitation of existing warehouse/retail to 19,500 S.F. with loading and parking. Approved by Planning Board.



## Ward #

- #9 161 So.Beech St. - Four story, 29 unit apartment proposed along with conversion of church to retail space. Approved by Planning Board.
- #3 55 W.Brook St. - A 15,530 S.F. building for PSNH Call Center with parking. Work is well underway.
- #3 386 Union St. - A 4,000 S.F. one story Laundromat at Lake Avenue has been approved.
- #9 3 S. Maple St. - A four story, 4,000 s.f., 20 unit apartment building with first floor office space and parking garage approved by Planning Board.
- #8 1000 S.Willow St. - The replacement of "Bickford's" with a 4,000 s.f. Bank of America has been approved.
- #8 725 Huse Rd. - The replacement of Harvey Industries with a 157,000 s.f. "Lowe's" has been proposed.
- #9 775 S.Willow St. - The replacement of a drive-through bank with a fueling facility for Stop n' Shop approved.
- #6 190 Zachary Rd. - A 79,000 S.F. office/manufacturing and warehouse is under construction for API.
- #10 S.Main/2<sup>nd</sup> St. - "Mobil On the Run" to be expanded and car wash.
- #10 #432 S. Main - A CVS pharmacy will be built at the location of the former "Sully's Supermarket".
- #5 #425 Lake Ave. - ***Four Seasons Market will be replaced by a new convenience store.***

## Water Works Projects

### Water Main Relays

- |                                   |                      |
|-----------------------------------|----------------------|
| A) Spruce – Wilson to Massabesic  | 720 L.F. of 6"       |
| B) Jewett – Young to Massabesic   | 1,500 L.F. of 6", 8" |
| C) Pine – Sagamore to Pennacook   | 300 L.F. of 6"       |
| D) Reed – Kelley northerly        | 250 L.F. of 6"       |
| E) Farmer – Candia northerly      | 150 L.F. of 6"       |
| F) Cedar – Wilson to Belmont      | 660 L.F. of 6"       |
| G) Poor – Second to Hill          | 270 L.F. of 6"       |
| H) Old Granite                    | 470 L.F. of 6"       |
| I) Rte. 3A – Brown Ave. southerly | 1,500 L.F. of 16"    |
| J) Granite and Old Granite        | 300 L.F. of 6", 8"   |

## Ward#

### Cleaning & Lining distribution system (total linear feet, 9,090)

(Heitkamp is the contractor )

(a) Kelley -Lafayette to Rimmon	2,400 L.F. of 6"
(b) Laval -Amory to Mason	1,670 L.F. of 6"
(c) Boutwell -Bremer to Mason	480 L.F. of 6"
(d) Alsace - Amory to Kelley	440 L.F. of 6"
(e) Montgomery – Amory to Bremer	1,200 L.F. of 6"
(f) Reed – Kelley to Mason	800 L.F. of 6"
(g) Youville – Kelley to Mason	1,400 L.F. of 6"
(h) Cartier – Amory to Kelley	700 L.F. of 6"

## **PARKS & RECREATION PROJECTS**

### **P&R PROJECTS - FY'07**

#### **#10 Piscataquog**

Trailway,  
Phase III

- This will involve continuation of the trail from S. Main St. to the West Side Ice Arena, continuing from where Phase II ends continuing west. This phase will be designed by VHB and awaits execution of the municipal agreement in October. We are working with the landowner and currently negotiating for an easement through the property. We have come to a verbal, non-formal agreement with Tires Inc. for an easement through their property. We hope to have the agreement drafted and made legal shortly. Final design underway – bids due March '07.

#### **#10 Piscataquog**

River, East

- Floods have once again damaged the park.

#### **#10 Piscataquog**

River Park

- Quirk Construction was low bidder for the repair of the Piscataquog River Park. This will restore the fields and trail to their pre-flooding condition. Work is over 50% complete. Anticipate completion in May.

#### **#11 Gossler/**

Parkside

- Currently seeking professional design services to update and improve the site containing these two school facilities for possible construction in FY '08.

## Ward#

- #9 Sullivan Family Park** - Located off of Garfield Street behind the Fire Station on Calef Road. Create a passive park area in place of the tennis courts that will be removed and a playground adjacent to Garfield St. with some parking to better suit the needs of the neighborhood and deter illegal activities. Kaestle Boos Associates is in the design phase and construction is anticipated for early spring.
- #2 Weston Observatory** - Weston Tower Observatory restoration needed to save the tower from further deterioration that will inevitably end up destroying the landmark if not corrected. Major improvements will include restoration of the roof, repointing of the stone, restoration of the stairs and other improvements to include some brush clearing around the Tower. Architectural Services Contract to be signed by Kurt Lauer. Bid opening February 8<sup>th</sup> with construction to begin in the Spring.
- #8 Crystal Lake** - The Crystal Lake Master Plan will assist the City to preserve Crystal Lake Park and the surrounding area in a manner consistent with the City's Master Plan and desired outcome of the people in the surrounding communities. We had our first Community meeting where the public had the opportunity to submit their comments. We will be having another Community meeting for additional comments and suggestions.
- Implementation of phase one (funded in FY '07) to be implemented subsequent to completion of master plan. The draft plan has been submitted.
- #2 Hillside School** - DuBois & King to update their original design for improvements/expansion to existing athletic fields located to the west of the school.
- #3 Valley Cemetery Rehabilitation** - Continued work on the restoration of Valley Cemetery including the Pine Street Gate, Chapel, fence and update/replace miscellaneous utilities as the "Friends of Valley Cemetery" allow.
- #12 Black Brook Dam** - The Department is seeking funds in the amount of \$40,000 to begin the process of removal as voted on by the Board of Mayor and Aldermen. Dubois & King to assist us in the engineering, permitting and monitoring of the process. Forty percent (40%) of the anticipated costs will be in-kind services and the balance will come from a State Section 319 Grant from the N.H. Department of Environmental Services. They are working very closely and assisting us with this process. The Watershed Restoration Grant has been completed and has been submitted to the N.H. D.E.S.
- #10 Bass Island** CEI designed restoration on park site. FEMA is paying for work expected to resume this Spring.



## Ward#

### HIGHWAY DEPARTMENT PROJECTS

#### Construction Projects

- # 6 Candia Rd.  
Dry Sewer - Sewer construction is underway.
- #3 Chestnut /Hanover Streets - Sidewalks from Hanover St. to Manchester St. and Chestnut to Pine. Santorelli Construction is the low bidder.
- #8 Lois/Roysan Drain - Bids received at March meeting. Hudson Paving was the low bidder at \$268,000, work to begin in May.
- #5/7 Jewett Street - Sewer replacement, Spring 2007. Young to Massabesic Streets. Bids due May 24<sup>th</sup>.

#### Reconstruction Projects

- #3/4 Union St. - Hanover to Bridge Street (coldplaning/overlay) Apr/May 2007
- #5 Spruce St. - Wilson to Massabesic Street April - 2007
- #5 Central St. - Lincoln to Wilson Street 2007
- #4/5 Laurel St. - Lincoln to Wilson Street April - 2007
- #5 Cedar St. - Wilson to Belmont Street July - 2007
- #5 Belmont St. - Massabesic to Belmont Street Aug. - 2007
- #9 So. Willow St. - Andrea to S.Porter (coldplaning/overlay) 2007
- #5 **Central St.** - **Wilson to Hall Street (coldplaning/overlay, curb, sidewalk)**

#### Sidewalk Construction

- #5 Hanover - Woodland Street to Rand Street to begin next week. E.C.U.C. is the contractor.

#### Reconstruct Sidewalks

- #4 Maple Street - Concord Street to Lowell Street. E.C.U.C. is the contractor.
- #4 Lowell Street - Maple Street to Haines Court. E.C.U.C. is the contractor.

#### Environmental Protection Division

##### I. COHAS BROOK INTERCEPTOR PROJECT – PHASE II

- A. *Contract 2:* RD Edmunds is expected to begin work in May in the cross-country area east of Zachary Drive on this \$3.0 million project. Preconstruction scheduled for April 20<sup>th</sup>.
- B. *Contract 3:* Design of the new Candia Road Pump Station and extension of sewer service through Massabesic traffic circle to Wellington Road is ongoing. Bid date for this \$1.2 million project is July 2007.
- C. Sewer Master Plan for the Cohas Brook laterals – to be completed in 2008 with construction of the first sewer contract in the Lakeshore Drive area to begin in the Spring of 2009.

Ward#

**II. COMBINED SEWER OVERFLOW PROJECTS**

- A) W. Bridge/Bremer/Lorraine Sts. Separation – This project is about 81% complete. Work will start on Lorraine St./Eddy Rd. on March 26<sup>th</sup>. Work will begin on Kelley Street on April 2<sup>nd</sup> at Kelley and Cartier heading east to Notre Dame Avenue.
- B) Poor/Schiller St. Separation – This project is about 35% complete and will focus on Second St. and Boynton St. this summer. Work began March 19<sup>th</sup> in the Wentworth/Hill/Poor Street area. In mid-April work will begin on Second Street.
- C) Crescent Road Separation – This is our final Phase 1 CSO contract is. Bids are in with low bidder being Dow Co. of Dracut, MA. Preconstruction to be held in May with construction to begin in June on this \$4.0 million project.

**III. SEWER PROJECTS**

- A. Candia Road Sewer Project – Starting back up on March 26<sup>th</sup>. Audley is going to have two crews. One crew is starting at Bridge St. and is heading east towards Hazelton's and the second crew is starting at Proctor Rd. and heading towards East Industrial Drive.

<b>MANCHESTER AIRPORT</b>
---------------------------

- #8 Aerohex Hangars - New hangars in the northeast area of the airport. Work is ongoing by North Branch Construction, Inc. Project completion anticipated for late spring '07.
  
- #8 Runway 24 Safety Area Extn. across S. Willow St. - Design work is complete for multiple project associated with the extension of the Runway 24 Safety Area. Bid opening April 25<sup>th</sup>. Anticipated Notice to Proceed is May 2007.
  
- #8 Sand Equipment Bid - Project shut down for winter. Majority of work complete.
  
- #8 Summit Packaging #16 Ammon Rd. - Work has been awarded to All-Ways Wrecking. Work is on-going. Demolition is approximately 30% complete.
  
- #8 Meggit Avionics #10 Ammon Rd. - Work has been awarded to All-Ways Wrecking. Work is on-going. Demolition is approximately 95% complete.



Ward#

**KEYSPAN ENERGY DELIVERY**

State of NH-D.O.T.

- a) Candia Rd. – I93 to Proctor Road    New main installation is complete except for building connections. This work will be coordinated with Audley in the Spring.

**#5 Laurel Street            -    1100 L.F. of highpressure main replacement.**

City Highway Department

**#3/4 Union Street            -    Relocate seven services (Hanover to Bridge St.)**

**#9 Spruce Street            -    Wilson St. to Hall St. (New main installation)**

**#5 Cedar Street            -    Relay main. Wilson St. to Belmont St.**

Combined Sewer Overflow (CSO)

**#11 Montgomery St.    -    Kelley St. 250 feet north and south.**

**#11/12 Reed St.            -    Res. #215 – 100 foot relay to end.**

**#11 Rimmon St.            -    Kelley – Bremer, complete next week.**

**#11 Alsace St.            -    Kelley – Amory, high pressure connection.**

**PSNH**

**MANCHESTER TRAFFIC DEPARTMENT**

**VERIZON**

**#9 S.Willow St.            -    Test pits related to runway extension.**

**NEXT MEETING:** The next MUCC meeting has been scheduled for  
Wednesday, May 16<sup>th</sup> at 10: 00 AM in the **Conference  
Room, second floor, at the Manchester Water Works.**

Attended    Contact List

x	Ms. Janet Kelliher	PSNH	882-5894 X5230
	Mr. Karl Franck	Building Dept.	624-6475
x	Mr. Jay Davini	Manchester Highway Dept.	624-6444
x	Mr. Guy Chabot	Manchester Water Works	624-6494
x	Mr. Chris Blue	Fire Department	669-2256
x	Mr. Mike Venti	Airport Authority	624-6539 X520
x	Mr. Jody Rivard	Manchester Fire Dept.	669-2256
	Mr. Chuck Deprima	Parks & Recreation Dept.	624-6565 X315
	Mr. Terry Harlacher	Planning Department	624-6450
	Ms. Betty Hackett	Verizon	645-2713
x	Mr. Paul Shea	Keyspan	231-4970
	Mr. Mike Jolin	MHRA	624-2111
	Mr. Jim Hoben	Traffic Department	624-6580
	Mr. Alan Poullos	Keyspan	231-6415
x	Mr. Wayne Wallace	Verizon	645-2701
	Mr. John Williams	Fire Department	669-2256
	Mr. John O'Rourke	Parks/Recreation/Cemetery	624-6565
x	Mr. Fred McNeill	EPD	624-6341
	Mr. Dennis Anctil	Manchester Highway Dept.	624-6444
	Mr. Jim Mason	Manchester Traffic Dept.	624-6580

**NOTE:** NEW projects for the month will be *italicized/bold* printed.

**MANCHESTER  
TRANSIT AUTHORITY**

110 ELM STREET, MANCHESTER, NH 03101-2799  
TELEPHONE (603) 623-8801  
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR  
PETER ESCALERA, VICE CHAIR  
JOSEPH DESELLE  
MAUREEN A. NAGLE  
CAROL WILLIAMS

DAVID SMITH  
EXECUTIVE DIRECTOR

April 25, 2007

Mr. Leo Bernier, City Clerk  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

Dear Leo,

The MTA Commissioners held a monthly Commission Meeting on Tuesday, April 24, 2007. Enclosed are the approved Minutes of the March 27, 2007 Commission Meeting, March 2007 Financial Report, and March 2007 Ridership Report.

The next scheduled Commission Meeting will be Tuesday, May 29, 2007 at 5:00 PM.

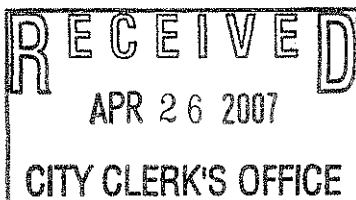
If you should have any questions, please feel free to contact me at extension 612.

Very truly yours,

David Smith  
Executive Director

DS:cr

Enclosures



TD

# MANCHESTER TRANSIT AUTHORITY

110 ELM STREET, MANCHESTER, NH 03101-2799  
TELEPHONE (603) 623-8801  
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR  
PETER ESCALERA, VICE CHAIR  
JOSEPH DESELLE  
MAUREEN A. NAGLE  
CAROL WILLIAMS

DAVID SMITH  
EXECUTIVE DIRECTOR

## Manchester Transit Authority

### March 27, 2007 Commission Meeting

#### MEMBERS PRESENT:

Chairman John H. Trisciani  
Vice Chairman Peter Escalera  
Commissioner Joseph Deselle

#### MEMBERS ABSENT:

Commissioner Maureen A. Nagle  
Commissioner Carol Williams

#### PERSONNEL PRESENT:

David Smith, Executive Director  
Karyn Bennett, Assistant Executive Director  
William J. Cantwell, Supt. of Administration  
John Huber, Operations Planning Manager  
Paul Beauregard, Shop Manager

1. a. Chairman TRISCIANI called the meeting to order at 5:00 PM.
- b. Approve Minutes of February 27, 2007 Commission Meeting. DESELLE made a motion to approve the Minutes of the February 27, 2007 Commission Meeting. Seconded by ESCALERA. All Commissioners present in favor.

## MANAGEMENT REPORTS

2. a. Financial Report for February 2007. ESCALERA made a motion to approve the Financial Report for February 2007. Seconded by ESCALERA.  
Transit Operation: CANTWELL reported revenues were \$67,448 (23.85%) more than budget. Farebox, tickets, and shuttle revenues were higher than budget by \$3,605 (13.59%). Farebox income was slightly down due to cold weather and averaged \$750 per service day. Significant variance this month was the receipt of two months of local subsidy from the City of Manchester to assist with our cash

D

flow until the Federal grant was awarded. Expenses were \$3,107 (-.96%) less than budget with no significant variances. Maintenance labor for transit was lower for preparation of the State school bus inspection. Health insurance was lower than budgeted as February was the first month under the lower cost Matthew Thornton Blue HMO plan that was negotiated into the Collective Bargaining Agreement (CBA).

**School Operation:** CANTWELL reported revenues were \$9,889 (-4.48%) less than budget. School charters are behind budget by \$4,712. School expenses were \$7,945 (3.49%) more than budget. The significant variances were mechanic labor and parts in preparation for the school bus inspection, and advertising in the NH Union Leader and Senior Beacon for school bus drivers.

CANTWELL stated we ended February with a very low cash flow. The federal grant for the period July 1, 2006 to June 30, 2007 was approved. He drew down the first six months of federal subsidy (\$722,455) on March 20<sup>th</sup>, and on March 26<sup>th</sup> he drew down another \$264,111 in subsidy for a total of \$986,572. Since the draw downs, he transferred \$462,288.16 back to our school accounts to replenish funds used to meet cash flow requirements. CANTWELL said the School Division year-to-date has earned about \$120,000 for the replacement fund.

ESCALERA asked how much savings we incurred by changing health insurance plans from Blue Choice to Matthew Thornton Blue. CANTWELL said at the time of negotiations (December 2006) we projected saving \$35,000.

The check register was reviewed. SMITH explained we are now purchasing fuel from the Global Montello Group located in northern Massachusetts. The City negotiated a contract with Global. CANTWELL explained the reason for paying

\$112,081.63 in fuel this month was because of a delay in billing. Since the City negotiated the contract with Global, our invoices are being sent to the Highway Department for verification of proper billing, and then forwarded to the MTA. There was a problem with the pricing and when everything was straightened out we received 7 invoices for payment.

The Accounts Receivable was reviewed. TRISCIANI commented on the outstanding invoices amounting to \$4,000 from 2006. CANTWELL said he received a School District check today and none of the outstanding 2006 invoices were paid. He now has Barbara Gagne from the School District involved with collections. TRISCIANI said it is time to start making phone calls.

All Commissioners present in favor of approving February 2007 Financial Report.

b. **Operations Reports for February 2007.**

**Transit-School Report:**

**Transit:** BENNETT passed around a plaque presented by Manchester Police Chief John Jaskolka commending the MTA for providing transportation for the funeral of Officer Michael Briggs. She explained over 30 drivers and staff were involved. On February 13<sup>th</sup>, SMITH, HUBER, and she met with Brandy Stanley from the Parking Division to go over the MTA's needs at Veterans Park when service changes are implemented July 2<sup>nd</sup>. They also discussed the CMAQ grant we applied for to do downtown shuttle service in 2009. BENNETT reported a part-time employee was promoted to full-time on February 16<sup>th</sup> and two spare transit operators were trained during the month. On February 20<sup>th</sup> SMITH, HUBER, and she met with Planning Director Steve Griffen from Goffstown to

discuss extending bus service into Shaw's and Hannaford's on Mast Road. They are eager for this service and willing to help move it along.

**School:** BENNETT reported we started the month with 76 school bus drivers, with 3 on extended medical leave. During the month we licensed 4 drivers, promoted 1 to full-time status, lost 1 of the 3 employees on medical leave, and had 1 termination, ending the month with 75 active school bus drivers. As of today we have 78 active drivers ready for the busy charter season. BENNETT said the Accident Review Committee and Safety Committee are continually meeting and staff still meets weekly with Athletics Director David Gosselin. SMITH commended the training staff for doing an excellent job of hiring and training good people in preparation for the busy charter season that will begin in April through the end of the school year.

**Transit-School Statistics Ridership Report:** HUBER reported transit ridership increased 1.21% as compared to the same month last year; 34,462 passengers. StepSaver ridership was up 13.80% from same month last year; 932 riders. February revenue miles for transit were 37,692 miles and paratransit revenue miles were 4,331. Out of 58 trips sampled, 56 were on time. During the month transit had 4 complaints and 2 compliments. HUBER said one wheelchair complaint was about the ramp being too steep when boarding the bus at ground level. SMITH explained the ramps are designed to be deployed on a curb and when they can't the ramp is steeper when it is on the ground. HUBER reported total school passengers transported during the month were 224,736. BENNETT said Safety/Street Supervisor William Rogers has been doing an excellent job following up on school issues.

**Maintenance Report:** BEAUREGARD reported 15 transit inspections were scheduled and all were completed, and 20 school bus inspections were scheduled and 21 were completed. During the month no buses were broken down or towed, and 1 transit road call. There was a lot of overtime this month because of the State school bus inspection, transit bus inspection, and a snowstorm over the weekend. His staff inspected a total of 60 buses this month; 47 school and 13 transit buses. They repaired 5 City vehicles. It was a very busy inspection month.

### **NEW BUSINESS**

3. a. **2007 Hampton Beach Excursion.** BENNETT reported last year we traveled to Hampton Beach 12 times and transported an average of 15.8 passengers per trip. The cost to run this service last year was \$3,800 and we received \$2,850 in revenue. This service always ran on Sundays and started on Memorial weekend through to the weekend after Labor Day. This year she would like to do the shuttle on Saturdays and start the first trip June 23<sup>rd</sup> when schools are no longer in session and the weather is warmer. Her recommendation is to continue the Hampton Beach shuttle service, keep the tickets the same price (\$15.00 for single and \$30.00 for family), run on Saturdays, and start the first trip on June 23<sup>rd</sup> through September 8<sup>th</sup>. Her reason for changing to Saturday service is for driver assistance. If a bus breaks down or the driver has problems with a passenger, the dispatcher is on-duty. Trying to get driver assistance on Sundays is cumbersome and this will help with overtime costs. ESCALERA recommended advertising this service. DESELLE made a motion based on BENNETT's recommendations. Seconded by ESCALERA. All Commissioners present in favor.



- b. **Gillig 06-Series Wheelchair Tie-Downs.** SMITH talked about a situation with the Gillig 06 wheelchair tie-downs. He explained the wheelchair area has three fold down seats that provides space on the street side of the bus for two wheelchairs. Between the two wheelchairs, there is a fixed bar with retractors. This bar is problematic because it is unmovable and gets in the way of large motorized wheelchairs or scooters being able to turn around, and it serves as a trip hazard. A driver injured her shoulder from tripping over the bar while loading a wheelchair. This problem was recognized in the beginning when WILLIAMS tried boarding the bus and we have asked the Gillig Corporation to assist in resolving this problem. Gillig turned this matter over to the vendor, American Seating. MTA met with a representative from American Seating and he will be giving us an alternate price. The alternate would be to replace the three flip up seats with seats that face the aisle and fold flatter to the wall. They will also replace the fixed bar that is bolted to the floor with a similar device that cantilevers out from the wall so you can fold it back to the wall and under the seat when not in use. When they talked to Gillig in the preproduction order call last week, they proposed changing the seat configuration in the new buses to that same design so the seats are aisle facing rather than forward facing, and they will provide the retractable bar so it is not in the way of the wheelchair. He is still waiting for American Seating's price quote and we have asked Gillig if they would be willing to participate. We will also be considering what we can do in terms of using Federal funds to replace those seats. ESCALERA asked is that a Federal regulation that the wheelchair must enter the handicap space and be able to turn. SMITH said the problem with the Federal regulation is that the

Americans with Disability Act (ADA) was established in 1990 when wheelchairs were smaller and the design guidelines and size limits were established for manual or small electric wheelchairs. The wheelchairs today are much bigger. SMITH said manufacturers are building lifts with a greater weight capacity even though the standard is still 600 lbs. ESCALERA said that is something we should keep in mind when purchasing our new buses. TRISCIANI said we should stick with the type of buses we have now that kneel and stay away from purchasing buses with hoists. Unless we keep cleaning the hoists all the time we will have problems. ESCALERA asked if there was a clause in our purchase order or contract to help pay for this change. SMITH said if the vendors participate it would be good-will because they met ADA specifications and we can't force them to help pay for the modification. SMITH said we are still purchasing buses from them so there may be a way they would give us trade-in value for the old seats.

- c. **Attendance Policy.** BENNETT explained she and the Union have discussed the need to have a drivers' attendance policy, met on March 12th, and negotiated an agreement. She explained the Union representatives are bringing this policy to their members on Tuesday, April 2<sup>nd</sup> for a vote. The Union representatives are advocating the policy. SMITH said this policy applies limits to the number of times a person has an incident of absence. He feels this should curtail the problem of people who are chronically out and abusing the policy. TRISCIANI said this negotiating was done in good faith and if the Union membership does not pass this agreement, we would not be renegotiating. TRISCIANI questioned the administrative suspension. SMITH explained an administrative suspension is a

day served on paper, carries the same weight, but is still progressive discipline that leads up to termination. The employee is expected to work that day, if they don't work then they are absent without leave and they go the next step. It wouldn't make sense to discipline a person with attendance problems by giving them the day off. SMITH said there were two ways to implement the attendance policy; negotiate or implement a policy unilaterally, go through the grievance and arbitration procedure, and hope an arbitrator would give us a policy that we could live with. The Union expected something in return for this policy, and he feels the goodwill generated by talking through with Union representatives rather than imposing a policy is significant. DESELLE asked why so many absences before termination. SMITH replied that amount was an outcome of negotiations. He said this policy is characteristic of attendance agreements across the country. ESCALERA asked if workers compensation, drug, or alcohol rehabilitation were part of this agreement. BENNETT replied they are not a part of this policy; they are separate situations we would deal with. We have a Drug and Alcohol policy and if an employee approaches management about a problem, we have them see an EAP for help and their time off falls under medical leave. If an employee tests positive on a random drug test, we have a no tolerance policy and the employee is terminated. DESELLE made a motion to accept the Attendance Policy presented by BENNETT. Seconded by ESCALERA. All Commissioners present in favor.

- d. **Informational Item: State Legislative Matters.** SMITH explained as members of the New Hampshire Transit Association (NHTA) and the New Hampshire School Transportation Association (NHSTA), MTA has been following bills in the State Legislature.

**Senate Bill 75:** SMITH explained this is an Act to establish the Rail Transit Authority going from Nashua to Massachusetts and ultimately from Manchester south. There was favorable testimony on the floor at the Committee Hearing by SNHPC and others present.

**House Bill 79:** SMITH explained this bill is still in Committee relative to safety at school bus stops. This bill does not directly affect the MTA, but we did comment that we feel if a parent can appeal the Superintendent's position relative to the location of a school bus stop, it would diminish the authority of the local school district in establishing school bus stops, and places a burden on the State in terms of inspecting school bus stops anywhere in the State. Although this procedure is not clarified in Law, upon request the State will inspect a bus stop and they usually find School Districts are making good safety decisions.

**House Bill 559:** This bill would directly impact us. It is a proposal that seat belts be placed on new school buses purchased after January 2008. After testimony by NHSTA, NHTA, State Department of Safety, and Association of School Boards, the House Transportation Committee recommended that it not be legislated this year. The Federal Highway Traffic Safety Administration made a recommendation against lap belts on large school buses and has yet to study the shoulder belt. With shoulder belts there will be less capacity of students on buses, presently we can transport 3 students to a seat and that would be reduced to 2, and they haven't resolved design problems of fitting a shoulder belt for elementary school students and then transitioning to high school students. SMITH said there are presently 5 states that require seat belts in new buses and only 2 states mandate students wear them.

- e. **City of Manchester – Master Plan Update Process.** SMITH explained the City's Master Plan is updated every 10 to 15 years, and has not been updated since 1993. Since 2006 the Planning Department has been working on an updated plan and last week the Planning Department provided information to the Board of Mayor and Aldermen. SMITH said they are looking for as much public input as they can get into this process because it sets forth the tone of planning for the next 10 years. SMITH passed the DRAFT issue papers to the MTA Board and felt the Board would be interested in reviewing issues in the City, not just transportation. SMITH informed the Board to feel free to comment to the Planning Department. SMITH said we have submitted comments on the transportation side regarding transit.

## **OLD BUSINESS**

4. a. **Status – Comprehensive Operations Analysis (COA).** SMITH reported the public hearing is scheduled for Friday, March 30<sup>th</sup>, at 2:00 PM in the Aldermanic Chambers at City Hall. We set the time during the day so people could get to the hearing by bus. Since the last meeting we prepared flyers on the buses with maps, posted information on the website, and taped a show for "Everything Manchester" on MCTV. SMITH said this is a good plan and the public hearing will allow us time to make any modifications before July 2<sup>nd</sup>. SMITH explained he published a combined notice of public hearing, including MTA's annual Program of Projects. Historically, we use the publication or public notice process that Southern NH Planning Commission (SNHPC) uses when they publish the Transportation Improvement Program (TIP) which satisfies the public notice requirement of the Federal Transit Administration (FTA). SNHPC's process falls short on one

requirement; they do not offer a public hearing. He said since we were going to have a public hearing, he published the annual notice for 2008 and used this public hearing as an opportunity for anyone to comment on the whole program, not just the routes and schedules. DESELLE feels if the elderly sees the published notice, they may not understand it is a meeting for the route changes. SMITH said that is why they were so careful to put information on the buses, the internet, and the MCTV show. He feels if they don't read it, they will see it. BENNETT reported we are already receiving comments through the website and telephone calls.

- b. **FY 2008 Subsidy.** SMITH said the Mayor presents his budget to the Aldermen Thursday night, March 29<sup>th</sup>. TRISCIANI asked if SMITH was invited to the Ward 5 meeting. SMITH replied he attended that meeting.

## **OTHER BUSINESS**

- 5. a. **Floor Color Change.** BENNETT said we currently have a light gray floor on the 06 buses and the cleaning crew has brought to our attention the difficulty keeping the floor clean. She feels one of the reasons the tie-down bracket is hard to see is because the floor is so light. The 04 buses have darker colored flooring and still look good, so they are going to go with a darker flooring to compliment the gray interior on the new buses.
- b. **Date for Next Meeting.** Tuesday, April 24, 2007.

With no further business to come before the Board, ESCALERA made a motion to adjourn the meeting at 6:15 PM. Seconded by DESELLE. All Commissioners present in favor.



Transit

March 2007

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**Manchester Transit Authority  
Income Statement Transit  
For the Nine Months Ending March 31, 2007**

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD Budget</u>	<u>YTD Net Change</u>
<b>Farebox Revenue</b>					
Farebox Revenue	\$19,059.87	\$20,710.00	\$174,799.94	\$161,538.00	\$13,261.94
Adult Fares	1,539.00	2,300.00	18,044.50	20,700.00	(2,655.50)
Adult Monthly Fares	3,516.00	2,300.00	24,041.00	20,700.00	3,341.00
Senior Citizens Fares	680.00	1,000.00	7,285.00	9,000.00	(1,715.00)
Senior Citizen Monthly Fare	735.00	1,250.00	8,719.00	11,250.00	(2,531.00)
Disabled Rider Fare	2,231.26	1,750.00	16,035.85	15,750.00	285.85
Student Fares	2,437.50	100.00	7,907.50	900.00	7,007.50
<b>Total Farebox and Tickets</b>	<b>30,198.63</b>	<b>29,410.00</b>	<b>256,832.79</b>	<b>239,838.00</b>	<b>16,994.79</b>
<b>Shuttle and Excursions</b>					
Shopping Shuttle	1,960.00	1,260.00	11,860.00	11,340.00	520.00
Excursion Revenue			3,105.00	2,880.00	225.00
<b>Total Shuttle and Excursions</b>	<b>1,960.00</b>	<b>1,260.00</b>	<b>14,965.00</b>	<b>14,220.00</b>	<b>745.00</b>
<b>Other Revenue</b>					
Sale of Fuel to City Departments	31,513.67	25,625.00	284,944.29	230,625.00	54,319.29
Sale of Maintenance Service to City	6,537.95	2,000.00	18,427.48	18,000.00	427.48
Advertising Revenue-Bus	4,585.75	5,500.00	57,179.90	49,500.00	7,679.90
Rental of Inncity Terminal		800.00		7,200.00	(7,200.00)
Sale of Vehicles and Equipment			6,364.00		6,364.00
Sale of Scrap Materials	156.38		970.20		970.20
Insurance Repair Reimbursement			14,193.41		14,193.41
Interest Income	643.88	750.00	4,833.75	6,750.00	(1,916.25)
Photo Picture ID Revenue	14.00	25.00	156.00	225.00	(69.00)
Other Non-Transp. Revenue		25.00	192.51	241.00	(48.49)
<b>Total Other Revenue</b>	<b>43,451.63</b>	<b>34,725.00</b>	<b>387,261.54</b>	<b>312,541.00</b>	<b>74,720.54</b>
<b>Total Operational Income</b>	<b>75,610.26</b>	<b>65,395.00</b>	<b>659,059.33</b>	<b>566,599.00</b>	<b>92,460.33</b>
<b>Operating Assistance</b>					
City of Manchester		93,263.17	825,000.03	839,368.53	(14,368.50)
Town of Bedford	14,200.00	3,400.00	41,400.00	30,600.00	10,800.00
State of New Hampshire			29,260.00	29,260.00	
Federal Operating Subsidy	114,977.00	124,916.67	1,101,549.00	1,124,250.03	(22,701.03)
<b>Total Operating Assistance</b>	<b>129,177.00</b>	<b>221,579.84</b>	<b>1,997,209.03</b>	<b>2,023,478.56</b>	<b>(26,269.53)</b>
<b>Total Revenue</b>	<b>204,787.26</b>	<b>286,974.84</b>	<b>2,656,268.36</b>	<b>2,590,077.56</b>	<b>66,190.80</b>
<b>Expenses</b>					
<b>Labor</b>					
Transit Operator Wages	63,498.06	61,645.00	539,561.60	512,292.00	27,269.60
Transit Operator Overtime Wages	7,104.61	9,064.00	61,018.51	75,344.00	(14,325.49)
StepSaver Operator Wages	10,733.41	12,458.00	100,350.92	103,689.00	(3,338.08)
StepSaver Operator Overtime Wages	2,203.16	2,266.00	15,203.35	18,836.00	(3,632.65)
Mechanic Wages	11,247.50	13,639.00	106,984.73	112,670.00	(5,685.27)
Mechanic Overtime Wages	3,316.40		9,445.39		9,445.39
Transp. Admin Wages	10,088.45	10,168.00	89,890.73	83,998.00	5,892.73
Transp. Admin Overtime Wages	435.71	175.00	6,271.05	1,575.00	4,696.05
Maint. Admin Wages	3,414.94	3,931.00	33,672.75	32,476.00	1,196.75
General Admin Wages	7,853.32	6,663.00	61,263.56	55,044.00	6,219.56
Gen. Admin Overtime Wages	27.81	83.00	632.30	747.00	(114.70)

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**Manchester Transit Authority**  
**Income Statement Transit**  
**For the Nine Months Ending March 31, 2007**

	Current	Budget	YTD	YTD Budget	YTD Net Change
<b>Total Labor</b>	<b>\$119,923.37</b>	<b>\$120,092.00</b>	<b>\$1,024,294.89</b>	<b>\$996,671.00</b>	<b>\$27,623.89</b>
<b>Fringe Benefits</b>					
Health Insurance Expense	46,110.47	52,626.00	428,736.01	481,434.00	(52,697.99)
Dental Insurance Expense	1,443.90	1,247.00	12,155.08	11,223.00	932.08
Life Insurance Expense	659.14	672.00	5,887.68	6,048.00	(160.32)
Pension Expense	5,696.00	6,370.00	52,802.00	57,330.00	(4,528.00)
FICA Expense	9,704.42	10,979.00	95,522.78	95,467.00	55.78
Worker's Compensation	5,135.00	4,769.00	44,893.56	41,751.00	3,142.56
Unemployment Compensation	366.00	894.00	1,110.00	2,682.00	(1,572.00)
Transit Operator Vacation Wages	6,181.02	3,180.00	47,141.56	43,060.00	4,081.56
Transit Operator Holiday Wages	(703.39)	1,885.00	35,502.48	37,700.00	(2,197.52)
Transit Operator Sick Wages	2,978.02	2,828.00	24,840.60	25,452.00	(611.40)
Mechanic Vacation Wages	1,324.00	1,341.00	14,309.02	12,069.00	2,240.02
Mechanic Holiday Wages	504.32	1,176.00	11,170.08	10,584.00	586.08
Mechanic Sick Wages	1,503.20	90.00	5,256.65	810.00	4,446.65
Transp. Admin Vacation Wages	253.35	1,188.00	10,667.87	10,692.00	(24.13)
Transp. Admin Holiday Wages	846.92	835.00	9,523.76	7,515.00	2,008.76
Transp. Admin Sick Wages		251.00	3,827.23	2,259.00	1,568.23
Maint. Admin Vacation Wages	784.96	756.00	6,374.83	6,804.00	(429.17)
Maint. Admin Holiday Wages	86.37	302.00	4,717.01	2,718.00	1,999.01
Maint. Admin Sick Wages		91.00	623.36	819.00	(195.64)
Gen Admin. Vacation Wages	755.56	708.00	7,982.05	6,372.00	1,610.05
Gen. Admin Holiday Wages	(232.63)	466.00	6,480.31	4,194.00	2,286.31
Gen. Admin Sick Wages	173.04	140.00	678.16	1,260.00	(581.84)
Transit Uniform Allowance	379.04	779.00	4,792.16	7,011.00	(2,218.84)
Maintenance Uniform Allowance	411.70	630.00	3,938.64	6,114.00	(2,175.36)
Tool Allowance		117.00	917.48	1,053.00	(135.52)
License Reimbursement	80.00	42.00	665.00	448.00	217.00
Burden Adjustment	(14,433.35)	(15,347.00)	(114,291.81)	(137,043.00)	22,751.19
<b>Total Fringe Benefits</b>	<b>70,007.06</b>	<b>79,015.00</b>	<b>726,223.55</b>	<b>745,826.00</b>	<b>(19,602.45)</b>
<b>Services</b>					
Management Consultant	11,876.50	12,375.00	107,690.19	111,375.00	(3,684.81)
Commissioner Expense	500.00	83.00	935.85	747.00	188.85
Auditing Expense			4,340.00	5,400.00	(1,060.00)
Legal Expense	400.00	667.00	5,149.75	6,003.00	(853.25)
Service Bureau	144.61	450.00	3,169.69	4,050.00	(880.31)
Security Service	39.26	83.00	867.17	747.00	120.17
Outside Advertising	(3,499.86)	417.00	7,425.10	3,753.00	3,672.10
Driver and Criminal Record			430.00		430.00
Drug & Alcohol Testing	198.00	333.00	2,968.00	2,997.00	(29.00)
Pre-Employment Medical	477.90	83.00	1,347.90	747.00	600.90
Janitorial Service and Supplies	563.00	658.00	5,555.99	5,922.00	(366.01)
Bank Service Charges	494.06	625.00	5,948.95	5,625.00	323.95
<b>Total Services</b>	<b>11,193.47</b>	<b>15,774.00</b>	<b>145,828.59</b>	<b>147,366.00</b>	<b>(1,537.41)</b>
<b>Materials and Supplies</b>					
Fuel Operations	21,602.94	20,165.00	186,577.82	169,882.00	16,695.82
Sale of Fuel to City Departments	30,750.42	25,000.00	280,530.01	225,000.00	55,530.01
Maintenance Parts	2,178.60	10,621.00	69,613.46	90,632.00	(21,018.54)
Purchase Discounts	(292.52)	(250.00)	(2,301.89)	(2,250.00)	(51.89)
Tires Expense		1,405.00	4,119.07	11,835.00	(7,715.93)
Oil and Grease	369.06	328.00	2,820.38	2,776.00	44.38
Maintenance Supplies	787.15	786.00	7,366.17	7,074.00	292.17

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**Manchester Transit Authority  
Income Statement Transit  
For the Nine Months Ending March 31, 2007**

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD Budget</u>	<u>YTD Net Change</u>
Body Shop Supplies	\$427.76	\$443.00	\$384.24	\$3,987.00	(\$3,602.76)
Hazardous Materials		123.00	171.06	1,107.00	(935.94)
Outside Parts and Labor	50.00	42.00	450.00	378.00	72.00
Repairs-Inner City Terminal		250.00	110.00	2,250.00	(2,140.00)
Repairs-Building and Grounds	1,081.89	1,093.00	16,702.25	9,837.00	6,865.25
Repairs-Shop Equipment	85.50	197.00	1,939.88	1,773.00	166.88
Repairs-Radio Equipment		42.00		378.00	(378.00)
Repairs-Office Equipment	331.74	275.00	3,211.36	2,475.00	736.36
Office Supplies	719.96	917.00	9,979.09	8,253.00	1,726.09
Transit Schedules and Tickets	200.00	1,000.00	350.00	9,000.00	(8,650.00)
<b>Total Materials and Supplies</b>	<b>58,292.50</b>	<b>62,437.00</b>	<b>582,022.90</b>	<b>544,387.00</b>	<b>37,635.90</b>
<b>Utilities</b>					
Electricity	2,101.58	1,995.00	15,374.89	17,965.00	(2,590.11)
Natural Gas	4,941.14	2,660.00	13,904.54	13,730.00	174.54
Telephone	630.66	665.00	6,326.45	5,985.00	341.45
Water	181.85	152.00	1,473.24	1,368.00	105.24
<b>Total Utilities</b>	<b>7,855.23</b>	<b>5,472.00</b>	<b>37,079.12</b>	<b>39,048.00</b>	<b>(1,968.88)</b>
<b>Insurance</b>					
Public Liability Insurance	10,881.00	10,881.00	97,930.00	97,929.00	1.00
Other Liability	1,039.00	1,095.00	9,675.74	9,850.00	(174.26)
<b>Total Insurance</b>	<b>11,920.00</b>	<b>11,976.00</b>	<b>107,605.74</b>	<b>107,779.00</b>	<b>(173.26)</b>
<b>Other Expenses</b>					
Dues and Memberships		83.00	828.93	747.00	81.93
Tolls and Parking			125.00		125.00
Training and Meetings	164.06	292.00	2,271.24	2,628.00	(356.76)
Grievance Expense		38.00		342.00	(342.00)
Depreciation	36,000.00	36,000.00	324,000.00	324,000.00	
<b>Total Other Expenses</b>	<b>36,164.06</b>	<b>36,413.00</b>	<b>327,225.17</b>	<b>327,717.00</b>	<b>(491.83)</b>
<b>Total Expenses</b>	<b>315,355.69</b>	<b>331,179.00</b>	<b>2,950,279.96</b>	<b>2,908,794.00</b>	<b>41,485.96</b>
<b>Net Income (Loss)</b>	<b>(110,568.43)</b>	<b>(44,204.16)</b>	<b>(294,011.60)</b>	<b>(318,716.44)</b>	<b>24,704.84</b>



School

March 2007

**Manchester Transit Authority  
Income Statement School  
For the Nine Months Ending March 31, 2007**

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD Budget</u>	<u>YTD Net Change</u>
<b>Student Transportation</b>					
Pupil Contract	\$156,117.03	\$163,096.00	\$1,385,448.66	\$1,467,864.00	(\$82,415.34)
Manchester Skill Center	11,251.95	14,297.00	100,579.65	94,519.00	6,060.65
Special Needs	10,587.00	12,704.00	104,811.30	110,102.00	(5,290.70)
Student Tickets		3,600.00	(131.25)	25,200.00	(25,331.25)
<b>Total Student Transportation</b>	<b>177,955.98</b>	<b>193,697.00</b>	<b>1,590,708.36</b>	<b>1,697,685.00</b>	<b>(106,976.64)</b>
<b>School Charter</b>					
Student Athletics	4,660.40	6,000.00	93,143.24	98,000.00	(4,856.76)
Student Fieldtrips	16,487.10	12,000.00	69,632.95	75,000.00	(5,367.05)
<b>Total School Charters</b>	<b>21,147.50</b>	<b>18,000.00</b>	<b>162,776.19</b>	<b>173,000.00</b>	<b>(10,223.81)</b>
<b>Other Revenue</b>					
Sale of Vehicles and Equipment			1,250.00		1,250.00
Interest Income	176.24	100.00	2,070.78	900.00	1,170.78
Other Non-Transp. Revenue			4,283.62		4,283.62
<b>Total Other Revenue</b>	<b>176.24</b>	<b>100.00</b>	<b>7,604.40</b>	<b>900.00</b>	<b>6,704.40</b>
<b>Total Operational Income</b>	<b>199,279.72</b>	<b>211,797.00</b>	<b>1,761,088.95</b>	<b>1,871,585.00</b>	<b>(110,496.05)</b>
<b>Expenses</b>					
<b>Labor</b>					
School Operator Wages	87,094.89	98,125.00	615,494.21	690,850.00	(75,355.79)
School Operator Overtime Wages	1,901.86	3,046.00	31,336.52	21,046.00	10,290.52
Transit Operator Wages		765.00	890.70	5,034.00	(4,143.30)
Transit Operator Overtime Wages			451.28		451.28
Mechanic Wages	10,463.99	9,478.00	78,136.67	78,298.00	(161.33)
Transp. Admin Wages	9,188.72	9,794.00	70,996.84	80,907.00	(9,910.16)
Transp. Admin Overtime Wages	484.01	407.00	3,303.26	3,663.00	(359.74)
Maint. Admin Wages	3,696.64	3,363.00	29,337.92	27,785.00	1,552.92
General Admin Wages	3,435.00	5,075.00	35,886.69	41,925.00	(6,038.31)
Gen. Admin Overtime Wages		53.00	105.30	477.00	(371.70)
Payroll Transaction	(427.30)		(264.40)		(264.40)
<b>Total Labor</b>	<b>115,837.81</b>	<b>130,106.00</b>	<b>865,674.99</b>	<b>949,985.00</b>	<b>(84,310.01)</b>
<b>Fringe Benefits</b>					
Health Insurance Expense	1,911.37		893.55		893.55
Dental Insurance Expense	124.92		222.66		222.66
FICA Expense	6,351.53	9,286.00	59,261.34	69,685.00	(10,423.66)
Worker's Compensation	2,761.00	3,996.00	29,629.44	29,443.00	186.44
School Operator Vacation Wages	111.86		9,918.00	8,482.00	1,436.00
School Operator Holiday Wages	4,485.40		17,561.30	25,681.00	(8,119.70)
School Uniform Allowance	150.00	342.00	597.70	3,078.00	(2,480.30)
Maintenance Uniform Allowance			50.00		50.00
Tool Allowance			381.50		381.50
License Reimbursement	240.00	167.00	1,175.00	1,503.00	(328.00)
Burden Adjustment	14,433.35	15,348.00	114,291.81	137,052.00	(22,760.19)
<b>Total Fringe Benefits</b>	<b>30,569.43</b>	<b>29,139.00</b>	<b>233,982.30</b>	<b>274,924.00</b>	<b>(40,941.70)</b>
<b>Services</b>					
Management Consultant	11,876.50	12,375.00	107,710.19	111,375.00	(3,664.81)

**Manchester Transit Authority  
Income Statement School  
For the Nine Months Ending March 31, 2007**

	Current	Budget	YTD	YTD Budget	YTD Net Change
Commissioner Expense	\$400.00	\$83.00	\$829.00	\$747.00	\$82.00
Auditing Expense			2,960.00	8,100.00	(5,140.00)
Legal Expense	600.00	667.00	6,081.99	6,003.00	78.99
Service Bureau	94.61	675.00	8,176.62	6,075.00	2,101.62
Security Service	58.88	125.00	1,091.38	1,125.00	(33.62)
Outside Advertising	3,750.66	1,250.00	14,999.92	11,250.00	3,749.92
Driver and Criminal Record	78.00		2,356.00		2,356.00
Drug & Alcohol Testing	1,090.90	917.00	6,675.90	8,253.00	(1,577.10)
Pre-Employment Medical	1,534.40	583.00	4,249.40	5,247.00	(997.60)
Janitorial Service and Supplies	563.00	658.00	5,576.00	5,922.00	(346.00)
Bank Service Charges	100.00	42.00	792.50	378.00	414.50
<b>Total Services</b>	<b>20,146.95</b>	<b>17,375.00</b>	<b>161,498.90</b>	<b>164,475.00</b>	<b>(2,976.10)</b>
<b>Materials and Supplies</b>					
Fuel Operations	21,744.38	21,119.00	146,144.74	143,460.00	2,684.74
Maintenance Parts	8,970.15	6,570.00	42,431.53	44,632.00	(2,200.47)
Tires Expense	2,756.32	1,846.00	12,043.97	12,543.00	(499.03)
Oil and Grease	545.52	368.00	3,425.99	2,499.00	926.99
Maintenance Supplies	727.27	547.00	7,130.72	4,923.00	2,207.72
Body Shop Supplies	361.19	308.00	3,217.54	2,772.00	445.54
Hazardous Materials		85.00		765.00	(765.00)
Outside Parts and Labor		42.00		378.00	(378.00)
Repairs-Building and Grounds	881.88	824.00	9,192.30	7,416.00	1,776.30
Repairs-Shop Equipment	64.50	137.00	1,497.34	1,233.00	264.34
Repairs-Radio Equipment		42.00		378.00	(378.00)
Repairs-Office Equipment	271.42	225.00	2,553.84	2,025.00	528.84
Office Supplies	802.64	750.00	5,851.23	6,750.00	(898.77)
School Schedules and Tickets		333.00		2,997.00	(2,997.00)
<b>Total Materials and Supplies</b>	<b>37,125.27</b>	<b>33,196.00</b>	<b>233,489.20</b>	<b>232,771.00</b>	<b>718.20</b>
<b>Utilities</b>					
Electricity	1,719.48	1,505.00	12,438.36	13,845.00	(1,406.64)
Natural Gas	4,381.77	1,875.00	12,128.39	9,575.00	2,553.39
Telephone	516.01	502.00	3,714.76	4,518.00	(803.24)
Water	148.80	115.00	1,205.41	1,035.00	170.41
<b>Total Utilities</b>	<b>6,766.06</b>	<b>3,997.00</b>	<b>29,486.92</b>	<b>28,973.00</b>	<b>513.92</b>
<b>Insurance</b>					
Public Liability Insurance	14,500.00	14,499.00	130,487.00	130,491.00	(4.00)
Other Liability	955.00	917.00	8,963.42	8,253.00	710.42
<b>Total Insurance</b>	<b>15,455.00</b>	<b>15,416.00</b>	<b>139,450.42</b>	<b>138,744.00</b>	<b>706.42</b>
<b>Other Expenses</b>					
Dues and Memberships		167.00	652.22	1,503.00	(850.78)
Tolls and Parking			32.50		32.50
Training and Meetings	158.75	375.00	1,489.33	3,375.00	(1,885.67)
Grievance Expense		38.00		342.00	(342.00)
Depreciation	21,000.00	21,000.00	189,000.00	189,000.00	
<b>Total Other Expenses</b>	<b>21,158.75</b>	<b>21,580.00</b>	<b>191,174.05</b>	<b>194,220.00</b>	<b>(3,045.95)</b>
<b>Total Expenses</b>	<b>247,059.27</b>	<b>250,809.00</b>	<b>1,854,756.78</b>	<b>1,984,092.00</b>	<b>(129,335.22)</b>
<b>Net Income (Loss)</b>	<b>(47,779.55)</b>	<b>(39,012.00)</b>	<b>(93,667.83)</b>	<b>(112,507.00)</b>	<b>18,839.17</b>

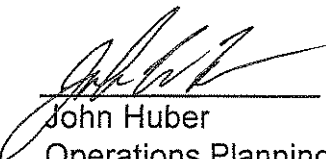
# Commissioners Memorandum



To: Commissioners  
 From: John Huber, Operations Planning Manager  
 Date: April 17, 2007  
 Re: Transit Ridership Report – March 2007

<u>Routes</u>	<u>March</u>		<u>% Change</u>	<u>FYTD</u>		<u>% Change</u>
	2006 Weekdays Saturdays	2007 23 5		FY 2006	FY 2007	
Airport- Route #1	813	930	14.39%	7,125	8,234	15.56%
Lake-Hanover St. Route #2	3,395	1,377	-59.44%	25,783	29,506	14.44%
Goffsfalls Route #3	1,698	1,377	-18.90%	13,523	12,116	-10.40%
Page-Elliott Route #4	2,074	2,116	2.03%	16,669	18,026	8.14%
Pinard-Bremer Route #5	1,340	1,151	-14.10%	10,017	10,909	8.90%
Gossler-St. Anselm Route #6	2,681	2,845	6.12%	21,525	24,313	12.95%
VA Hospital Route #7	2,666	2,288	-14.18%	21,795	20,867	-4.26%
So. Willow Route #8	3,884	3,739	-3.73%	32,919	34,722	5.48%
DW Highway-River Rd. Route #9	2,395	1,702	-28.94%	21,038	18,665	-11.28%
Valley-Weston Rd. Route #10	3,546	3,423	-3.47%	31,517	31,574	0.18%
Front St. Route #11	2,204	2,047	-7.12%	17,286	17,577	1.68%
So. Beech Route #12	3,219	4,277	32.87%	27,464	33,010	20.19%
Bedford Mall Route #13	4,531	4,543	0.26%	37,773	41,105	8.82%
UPass Riders - NHCTC		594		617	4,041	
Vista Shuttle	306	269	-12.09%	3,905	2,408	-38.34%
Hannaford Shuttle	594	579	-2.53%	5,702	4,680	-17.92%
Stop & Shop Shuttle		125			1,327	
Weekday Fixed Route Totals	35,667	35,589	-0.22%	296,545	313,080	5.58%
Saturday Fixed Route Totals	3,243	3,253	0.31%	31,374	32,757	4.41%
MTA Specials & Excursions	0	0		199	77	
Fixed Route Weekday Average	1,551	1,618	4.32%	1,551	1,633	5.31%
Total Transit Passengers Served	38,910	38,842	-0.17%	328,118	345,837	5.40%
Total StepSaver Passengers Served	980	1,097	11.94%	7700	8,262	7.30%

The attached graph shows system-wide ridership trends.

  
 John Huber  
 Operations Planning Manager

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Honorable Aldermen,

My name is Ken Donahue and I write to you today on behalf of concerned citizens of New Hampshire.

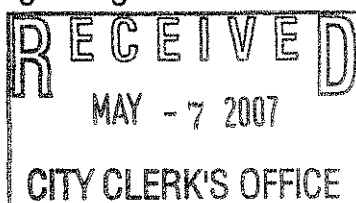
On Jan. 31, 2007 Verizon Communications filed with the Public Utilities Commissions of New Hampshire, Maine, and Vermont to spin-off its fixed telephone business to Fairpoint Communications of North Carolina. Verizon is currently in a contract, entered into, with the people of NH, through the NH PUC to provide phone service for our state. During this contract NH gave Verizon subsidies and tax breaks to expand this network. This contract further gives the PUC the right to review and approve all sales and leases on the behalf of NH consumers (PUC RSA 374.30). It is important that consumer rights are protected, especially, in the Southern and Seacoast regions of the state for reasons of continued economic growth and development.

The week after the proposed sale was announced, Fairpoint and Verizon executives flew into Concord NH to make their pitch, mostly, to Northern state politicians. The reason they did this is because the North is where the offer to expand DSL service (later explained in the packet) is most attractive. DSL is quickly becoming obsolete in the Southern and Seacoast regions of the state as people and businesses switch over to a faster cable service or to the premiere of all high speed services, nationally, FIOS (Fiber Optic service provided by Verizon).

Fairpoint's pitch to the PUC is that if DSL service is expanded in rural NH, then that must mean the sale is in the best interest of NH. This might be a good deal if Fairpoint intended to increase rural DSL coverage as they continue to expand the FIOS network already deployed in the Southern and Seacoast regions. The problem is Fairpoint's promise to expand rural services does *not* result in continued economic growth for the Seacoast and Southern regions of NH. Without the continued growth of these important regions, the economic vitality of the entire state could be at risk and this is something we, literally, cannot afford.

Some agencies, consumer groups, journalists, and economists doubt that Fairpoint will have the financial capability to deliver expanded services to rural NH, given that after the sale, Fairpoint plans to invest approximately half the amount of money per subscriber line that Verizon now invests. Even if the economics were arguable, no one can deny that Verizon is offering a superior product to the Southern part of the state through their FIOS program. Verizon is rated as the number one Internet provider, and FIOS is rated as the best overall video, Internet, and land line phone solution along with integrated Verizon Wireless service (*According to Consumer Reports and USA Today*). AT&T and Comcast fall short of the new industry standard set by Verizon. How can Fairpoint possibly give us this same level of service when Verizon's two biggest national and regional competitors are falling short?

Fairpoint has said little in regards to the 80,000 fiber lines already installed in Southern New Hampshire. They do not want to commit to expensive services over this network or expand this cutting edge service into cities such as Manchester. With their investment per subscriber line cut in half, they barely have the money to deploy their rural DSL, never mind maintaining or expanding the FIOS network into other parts of our growing state.



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If Fairpoint is allowed to take over Verizon's network, debt and obligations, NH will lose a significant technological edge as our sister state, Massachusetts, continues to evolve with the most advanced network available. Some medical, high tech, financial, and service industry businesses may choose to relocate to Massachusetts or another technically advanced state because NH has chosen to forsake its most crucial growth sector, in return, for a hollow promise from Fairpoint to expand DSL in rural NH.

Town officials know, more than most, that as populations and businesses grow so does the need for a more advanced infrastructure. We should not replace our highways with dirt roads and we *must not* substitute a plan to install a cutting edge fiber optic network with one that relies on deteriorating copper lines. This would simply create a monopoly for Comcast and a disaster for New Hampshire.

Some people say we should give Fairpoint a chance. We believe this is an unwise and risky proposition. Fairpoint is a company that is approximately 16 years old, is mired in debt, which it has restructured several times to avoid bankruptcy, and has laid off workers on numerous occasions. Our goal is to see New Hampshire keep its competitive edge and move with confidence into the future. Unfortunately Fairpoint's track record inspires no such confidence.

I hope you find the packets, provided to your respective town, informative and concise. The intention is to provide an informational gateway, enabling you to do additional research and to draw your own conclusions. As you know from this letter we do not believe this sale is in the best interest of NH. Not everyone may agree, but the stakes are too high for complacency and time is short. Verizon and Fairpoint seek to move swiftly through this process and hope to encounter little resistance. We must engage in this debate now, and armed only with the best, most reliable information available, are we granted the opportunity to stop a terrible mistake before it is too late.

We know that you have dedicated your personal time to protect the best interests of your town and state. We encourage you to get involved in the process directly through the PUC or through the Office of Consumer Advocacy (PUC and OCA contact information provided in packet). As a former NH State Rep. and a family member of a town councilor, who has donated her time for many years, I am well aware of the sacrifice you make on daily basis. I thank you for your tireless service to the great state of New Hampshire and appreciate your time and efforts.

Thank you,

Ken Donahue

Please contact me at my e-mail with any questions and if you would like this packet in electronic form.  
nhfuture@comcast.net





**The Following is a list of public hearings scheduled by the NH PUC on the matter of the proposed Verizon sale to Fairpoint Communications.**

All hearings will begin at 7:00 p.m.

<b>Date</b>	<b>Location</b>	<b>Related Information</b>
5/2/2007	Merrimack High School Merrimack	
5/8/2007	Plymouth State Boyd Science Center Plymouth	
5/15/2007	Lincoln Street Gym Exeter	
5/22/2007	Newport Opera House Newport	
5/24/2007	Littleton High School Littleton	

# IMPACT OF VERIZON SALE

## Table of Contents

Main section containing a detailed explanation of the proposed sale	(6 pages)
Verizon and Fairpoint quick comparison	(3 pages)
Summary of the Verizon sale and SEC filing documents	(1 page)
Article summaries on the proposed sale with links to the full article	(3 pages)
Research link page with links to articles and government sites	(2 pages)
List of FIOS capable NH towns that will also receive this packet	(2 Page)

**\*All** information contained within this packet is sourced from articles and web links which are included in the final sections.

In January 2007, Verizon announced the sale of its communications network in NH, ME, and VT to Fairpoint Communications of North Carolina. It is important to understand the competing technologies in the NH marketplace and to be aware what we will lose if this sale is allowed to proceed. I urge those who read this information packet to explore the provided web links and seek out other Telecom experts to enhance your knowledge on this matter.

The three current technologies are; DSL (digital subscriber loop), cable broadband and FIOS (Fiber optic service provided by Verizon). The majority of NH customers that use DSL technology are provided this service over Verizon's existing copper network. The cable company provides competition thru cable broadband delivered over coaxial cable. And lastly we have Verizon's fiber optic network known as FIOS. FIOS is already deployed in much of the Southern and Seacoast regions of NH. Out of these three technologies only two are viable in a future competitive market: cable broadband and FIOS.

DSL technology provides moderately high speeds for Internet use and is a dedicated service for each customer. DSL *does* have range and bandwidth limitations (bandwidth meaning the amount of data that can be transmitted over a given technology). The physical range limitations of DSL are approx. 2-3 miles from the central office or switching station. Beyond that distance the signal degrades or is simply unavailable. The bandwidth range limitations are approximately **384 Kb/s (Kilobits per second) to 3 Mb/s (Megabits per second) download speed and 128 Kb/s to 864 Kb/s upload speed**. In comparison, cable broadband and FIOS *do not* have the same range or bandwidth limitations. Cable TV offers a non-dedicated broadband service (shared by many people) ranging from **6 to 8 Mb/s download speed and 512 Kb/s to 1 Mb/s upload speed** (Speed subject to the amount of usage of a given area). Verizon FIOS is a customer dedicated fiber optic service with approximately **5-30 Mb/s download speed (100Mb/s plus potential) and 2 Mb/s upload speed with more future capacity potential**. The upload and download speeds represent how much HDTV, music, communication, or general Internet use that can be simultaneously used in a home or business. DSL can not transmit HDTV, nor can it transmit any video at reliable speeds, as can the other two superior technologies.

Many industry experts believe that FIOS is the premiere technology due to its unlimited potential, stating; it is the only solution for US consumer's never-ending appetite for more bandwidth. If an average US home were to use two standard TV's, one high-definition TV, three voice or IP phones, and streaming digital music they would need a minimum bandwidth of 15 Mb/s. This does not include the increased demand for those who run a home business, perform video conferencing or are involved in online gaming. According to IP TV magazine.com, the average consumer's bandwidth requirements in the near future could be as high as 50 Mb/s and above. I urge you to do more research but I'm positive you will discover the only two competing technologies, which will provide adequate growth potential to New Hampshire, are FIOS (Verizon) or cable broadband (Comcast).

## Speed Comparison Table

CONX TYPE	SPEED/max (DOWN)	SPEED UP
FIOS (Vz)	5-30Mb/s potential 100mb/s plus	2Mb/s
CATV (Comcast)	theoretically up to 6Mb/s	128Kb/s to 512Kb/s
aDSL (Vz)	384Kb/s to 3Mb/s	128Kb/s to 864Kb/s
DIALUP (AVG)	30Kb/s / 53.3Kb/s	30Kb/s / 53.3Kb/s
<b>conx type Download</b>	<b>4"X6" photograph (2Mb)</b>	<b>1 hr. of music (600 Mb)</b>
FIOS 15Mb/2Mb	0.133 seconds	40 seconds
CATV 5Mb/512Kb	0.4 seconds	2 min
DSL 1.5Mb/384Kb	1.3 seconds	6.7 min.
DIALUP 56K/56K	35 seconds	3 hrs

As you are aware Verizon has begun its deployment of FIOS in Southern NH and already has 80,000 fiber optic lines in operation. It is troubling that Fairpoint *has not* indicated what they plan to do with this breakthrough fiber network, which is already delivering lightning fast content to its subscribers. Fairpoint may continue to use the existing fiber technology to bring phone service, but they have not stated any plans as to how they would use this technology to deliver broadband and streaming video to the businesses and consumers of NH.

Fairpoint may indeed promise video over the existing FIOS technology, but to offer video would mean an increased investment in the Southern and Seacoast regions of New Hampshire. According to Fairpoint's own financial statements they're prepared to spend \$100 per customer line purchased from Verizon. When Verizon deployed FIOS in NH, it averaged over \$800 per household. In order to offer video services to the cities and towns of NH it would cost approx. a million per central office (the site where the signal originates). This is a capital investment which Fairpoint simply does not have. It is important to relay this information because Fairpoint has a habit of making promises that it can not meet financially. It is imperative that the PUC and OCA attain specific parameters as to the cost and structure associated with deployment of video services in town's that currently have Verizon fiber.

The more we learn about DSL, the more we find that it is an inferior product to assist New Hampshire in its future economic growth. It is also clear that Fairpoint *does not* possess the experience or finances necessary to expand existing FIOS. Without Verizon we will not be on the cutting edge of the information superhighway and New Hampshire will begin losing its economic edge to surrounding states like Massachusetts. New Hampshire will no longer have the benefit of two competing companies providing Internet and video services (in the form of Verizon FIOS and Comcast Broadband). If the PUC allows this deal to go through, they will be anointing Comcast as a high speed Internet, TV and phone service monopoly. Consumer choice will decrease and price will continue to increase.

In order to make the deal sound inviting, Fairpoint promises to provide DSL to rural NH, where Verizon and Cable TV companies do not offer service. Although noble to continue to expand services of all kinds into the more remote areas of NH, it is not a reason to give up on the latest technology, in areas which are financially supporting the growth of our state. Fairpoint has committed to spending \$100.00 per access line though Verizon currently spends \$200.00 (on average) per access line. Fairpoint promises to deliver DSL to the rural areas by spending less which is of course suspect. The logical conclusion is that Fairpoint may not even have the funds to deliver on their promise.

Fairpoint may deploy DSL to some rural areas, but is it really a plausible solution for NH? We already know it is rated to be technologically inferior to what is now being provided in Massachusetts, and Southern New Hampshire. It is a decent technology for the past and present but not for our future. As earlier stated DSL is most reliable when it is approx. 2-3 miles from a Central office (CO). It is a fact that some towns in Southern NH do not have their own CO's, they share equipment and copper plant with neighboring towns, while rural Northern and Western NH's offices are even more remote. In order to increase the range limits of DSL there needs to be a substantial upgrade to the copper plant, which would cost more than the dedicated \$100.00 per. Line. The promise to provide limited DSL service, to rural areas, is not worth risking the forward progress of an entire state. To believe an inexperienced, rural phone company could do what a Fortune 25 Company (Verizon is consistently ranked in the top 25 largest and financially stable companies in the U.S.) has failed to accomplish would be a costly leap of faith.

Fairpoint's second promise is the hiring of approximately 600 more people in the three northern states. It has not been stated what the pay for these jobs would be, or exactly where they would be located. There is concern that some of the current Verizon customer service jobs would be contracted out to other states. Fairpoint denies this, but recently they have closed several call centers across 17 states and consolidated many of those jobs in Washington State.

Fairpoint's pay scales are less (on average) than Verizon employees. Given their limited financial resources it is highly doubtful they will pay, the 600 new employees, wages comparable to those of the current service representatives in the three northern states. It is important for the three northern states to attract high-tech, well paid residents from other parts of the country. High-paying jobs attract quality people to our state and help foster the continued economic growth which is vital to our region.

There are no guarantees that Fairpoint will abide to any promise. If Fairpoint can not meet it's financial commitments it may simply claim bankruptcy and sell off the customer access lines. We have a *non binding* promise from a company that has been in business for only 16 years, has laid workers off on numerous occasions, and has had to restructure it's debt several times to avoid impending bankruptcy. Most of the above financial information can be sourced through the sec.government web site (Securities and Exchange Commission under form 8k).

Fairpoint is a rural telephone company, as determined by the FCC. The rural designation entitles Fairpoint to large government subsidies from the FCC's USF (Universal Service Fund). Fairpoint currently has a small Vermont subsidiary which receives \$452.00 per access line in government subsidies. Verizon in the same area receives \$31.00 per line from the FCC. Per FCC rules Fairpoint will receive an amount closer to the \$31.00 per access line when the sale is complete.

Related concerns arise from the CLEC (competitive local exchange carrier(s)) who provide competitive(wholesale) services on Verizon's network. These many businesses, who provide a host of alternative choices, emphasize their concern that if problems arise regarding FairPoint's delivery of services, their business, in turn, could be impacted negatively. This could further jeopardize stability in NH, where the marketplace relies on competition to keep prices low for the consumer. Of all these many factors which could effect New Hampshire adversely, it is the unknown quantities born from a bad deal that are the worst.

Verizon, on the other hand, services customers from rural America to the New York Stock exchange. The previous chart shows that Verizon has one of the lowest debt to equity ratios, where as Fairpoint has one of the highest. Fairpoint is not even the financial equal to many of the lower tier companies and will have even more debt after the sale (1.7 billion in new debt for a company whose market cap is currently under \$700 million). Fairpoint is a purely rural phone company with a weak financial history.

The only company with comparable experience and finances to Verizon is AT&T. Unfortunately, we are not talking about AT&T, which would make good economic sense. AT&T purchasing Verizon's access lines might meet the parameters of the PUC regulation that determines what is best for NH. Fairpoint is not suggesting what is best for NH, they are proposing a deal that only benefits two corporate entities. Fortunately for us we have a PUC regulation that should protect the best interest of our citizens over corporations; as long as our elected official become involved in the process.

Fairpoint has neither the experience, technology or the solid economic track record to support any of their claims. At the time of this deal, Fairpoint was rated as the number 17 Telecom and Verizon was rated as the number two. The figures on the following chart are based off of market cap and a company's economic ability to deliver to the market what it promises to its shareholders and customers.

### Table of company rankings

Rank	Description	1-Day Price Chg %	Market Cap	P/E	ROE %	Div. Yield %	Debt to Equity	Price to Book
	Technology	-0.226	5450.38B	25.321	13.204	1.888	0.656	7.703
	Telecom Services - Domestic	-0.054	365.95B	21.7	12.8	3.704	0.933	14.66
Information provided by Yahoo Financial and telecom Financial contributors								
1	AT&T Inc.	-0.13	142.19B	19.629	8.657	3.8	0.528	1.237
2	Verizon Communications Inc.	-0.08	111.85B	18.118	12.5	4.2	0.758	2.33
3	Alltel Corp.	-0.57	22.59B	21.363	6.416	0.8	0.216	1.805
4	BCE, Inc.	0.93	22.17B	14.01	13.465	4.2	0.962	2.175
5	Chunghwa Telecom Co. Ltd.	-0.29	19.67B	21.882	7.451	5.1	0.001	1.669
6	Qwest Communications Internati	0.71	15.95B	28.372	NA	0	NA	NA
7	Windstream Corporation	0.65	7.36B	12.332	22.51	6.5	11.682	15.659
8	Centurytel Inc.	0.72	5.28B	15.193	10.87	0.5	0.812	1.663
9	Citizens Communications Co.	-1.13	4.78B	13.621	25.674	6.7	4.053	4.859
10	Time Warner Telecom Inc.	-1.28	3.30B	NA	-24.186	NA	2.502	5.979
11	Equinix Inc.	0.26	2.58B	NA	-2.104	NA	0.788	7.281
12	Spirent Communications Plc.	1.61	1.21B	4.048	-4.892	0	NA	2.387
13	Cincinnati Bell Inc.	1.06	1.17B	15.833	NA	0	NA	NA
14	Commonwealth Telephone Enterpr	-0.26	898.98M	12.972	155.615	4.7	4.951	13.288
15	Fairpoint Communications Inc.	-0.61	672.40M	21.676	12.942	8.2	2.707	2.992
16	Iowa Telecommunications Servic	-0.97	650.03M	15.578	15.09	7.8	1.787	2.336
17	Alaska Communications Systems	-9.52	643.31M	32.972	NA	5.1	NA	NA



Verizon's business plan *is not* to expand outdated copper technology; instead it is looking to the future of high speed with FIOS. Verizon as well as industry experts know that fiber optics is the future of information, communications, an entertainment to the home or business. The NHISPA (NH Internet Service Providers Association) at a recent PUC hearing stated that they too found it doubtful that the inexperienced and limitedly funded Fairpoint was going to deliver DSL to rural NH, when Verizon with unlimited resources has been unable to for technological or financial reasons.

Verizon and Comcast have concentrated the majority of their efforts in the Southern and Seacoast regions of NH because they are economically expanding regions. In a purely business sense, it is smart for these companies to grow the Southern and Seacoast regions, which in the last five years has seen an increase in high-tech and medical industry jobs. Let us not forget that as the Southern regions grow, companies of all kinds will expand their services resulting in increased services from Verizon as well as Comcast.

Being the fastest growing New England state it is imperative that we have the best services available and we do, with Verizon. It is now time that the local elected officials and business leaders call on the Office of the Consumer Advocate and the Public Utilities Commission and ask that Verizon abide by their contracts and promises to NH citizens. Tell them that we do not want to be an experiment with the #17 phone company. Instead, we must move forward, into the future, with Verizon, not backwards with Fairpoint. New Hampshire's growth can continue while keeping technologically in-step with the rest of the world. The future of our great state is in your hands.

Thank You.

## VERIZON FAIRPOINT COMPARISON

Verizon is a far better choice than Fairpoint to be the provider of local telecommunications services and hi-speed internet service for NH. Verizon is technologically superior, far more experienced, stronger financially and has the resources to expand broadband service throughout NH. The following is a basic comparison of the two telecommunications companies.

- **Technology (DSL vs. FIOS)**

- ✍ **DSL** (digital subscriber line or loop) provides internet and voice service carried by an electrical signal over a copper circuit.

- ✍ **FIOS** (fiber optic service) provides internet, voice and TV video service carried by an optical (laser light) signal over a single glass fiber.

- ✍ **DSL** has internet download speeds of **384 kilobits per second to 3 megabits per second** and upload speeds of **128-864kb/s**.

- ✍ **FIOS** has internet download speeds of **5-30mb/s (100mb/s potential)** and upload speeds of **2mb/s (Plus increased future capacity)**.

FIOS is clearly the superior technology. It provides more services at faster speeds than DSL. Additionally the fiber network used by FIOS is far more reliable and less expensive to maintain than the older copper network that DSL uses.

- ✍ **Fairpoint** relies *solely* on older copper networks. **(no commitments to a fiber network for NH)**

- ✍ **Verizon** is currently upgrading to a cutting edge fiber optic network, while continuing to operate and maintain its older copper wire network.

- ✍ **Fairpoint** offers DSL technology as its *only* hi-speed internet and voice service for the future. **(Vague commitments for TV video service.)**

- ✍ **Verizon** offers hi-speed internet service using older DSL technology (**Verizon DSL**) and has begun to focus on providing internet, voice and video all on one lightning fast fiber optic line directly to the customer's home (**Verizon FIOS**).

- ✍ Hi-speed internet services comprise a small % of **Fairpoint's** business.

- ✍ **Verizon** is ranked #1 as an internet service provider.



- **Experience**

- ✓ **Verizon** one of the original bell operating companies has stood the test of time for decades in this region as N.E. Telephone, NYNEX and Bell Atlantic.

- ✓ **Fairpoint** has been in existence for approximately 16 years

- ✓ **Verizon** a large diversified telecommunications corporation is the 2<sup>nd</sup> largest telecom in the U.S. operating in both domestic and international markets.

- ✓ **Fairpoint** a small telecommunications company, ranked 17<sup>th</sup> among U.S. telecoms is classified as an RLEC (rural local exchange carrier) and operates in isolated rural markets.

- ✓ **Verizon** operates hundreds of central switching offices in northern N.E. alone.

- ✓ **Fairpoint** operates a total of 31 central offices.

- ✓ **Verizon**, despite being heavily regulated, has competed successfully for many years with large cable companies and a host of alternate telecom service providers.

- ✓ **Fairpoint**, as an RLEC, has enjoyed the luxury of substantial government subsidies as well as a competition free environment in which to operate in its short existence.

- **Financial strength and economic stability**

- ✓ **Verizon** has had steady financial performance marked by periods of growth over the years

- ✓ **Fairpoint** has had erratic financial performance marked by several debt restructuring periods; resulting in layoffs and asset sell-offs. (Sec.gov search 8k forms under Fairpoint)

- ✓ **Verizon** is a solvent company with a low debt to earnings ratio.

- ✓ **Fairpoint** already a highly leveraged company will incur \$1.7 billion in debt if the sale is completed.

- ✓ **Fairpoint** will no longer be classified as an RLEC (having quadrupled in size by acquiring northern N.E.)

- ✓ **Fairpoint's** government subsidies will be drastically reduced

- ✓ **Fairpoint** will no longer operate in a competition free environment and will incur the high cost of doing business against entrenched rival telecommunications companies.

- **Resources**

- ✓ **Fairpoint** is a \$500 million corporation

- ✓ **Verizon** is \$100 *billion* corporation

- ✓ **Fairpoint** plans to invest \$459 million into the infrastructure of ME, NH and VT over the next 3 years. That is roughly **\$100** per access line.

- ✓ **Verizon** *already* invests an average of **\$200** per access line.

- ✓ **Fairpoint** has made no commitment to invest in the existing Fiber network.

- ✓ **Verizon** *already* invests an average of \$850 per home passed and \$880 per home connected on its fiber network

The most important question at this point is whether or not the sale of Verizon's assets to Fairpoint is in the best interests of N.H. This is the question currently before the N.H. Public Utilities Commission. The simple answer is no. Fairpoint may be an acceptable telecommunications provider for small, rural markets, however northern N.E. is anything but small and southern N.H. is anything but rural. Clearly Fairpoint does not have the technology, experience, financial stability or resources to be a competitive telecommunications company and hi-speed internet service provider for a rapidly developing region like southern N.H. If this sale goes through it would be extremely detrimental to NH's economic and technological growth. This proposed deal between Verizon and Fairpoint will hurt the N.H. consumer as well as the many employees of Verizon.

Verizon is free to run its business as it sees fit, however Verizon is a public utility and as such is legally responsible to act in the best interests of NH's consumers. So although this deal may benefit Verizon and Fairpoint, it *does not* benefit N.H. or its citizens. It is imperative that the PUC investigate this proposed sale fully, focusing ,especially, on Fairpoint's ability or lack thereof to maintain and expand upon Verizon's current level of service and technology.

## SUMMARY OF VERIZON SALE

The following is a Broad overview of the sale of Verizon's properties in Maine, New Hampshire and Vermont to Fairpoint communications. Before continuing it is important to note that both companies are withholding materially important information from their public fillings regarding this proposed transaction.

"The parties to the Merger Agreement have made to each other certain representations, warranties and covenants, which are qualified by information in confidential disclosure letters delivered together with the Merger Agreement. While the Company does not believe that these letters contain information that the securities laws require it to publicly disclose, other than the information that has already been so disclosed, *the disclosure schedules do contain information that modifies, qualifies and creates exceptions to the representations, warranties and covenants set forth in the Merger Agreement. Accordingly, the representations, warranties and covenants should not be relied on as characterizations of the actual state of the facts, since they may be modified by the disclosure schedules.*" \* [emphasis added]

In the following paragraph we will outline the proposed deal between Verizon and Fairpoint. Verizon will transfer its local exchange and related assets in Maine, New Hampshire and Vermont forming two newly created Verizon subsidiaries, one for regulated assets and liabilities and one for unregulated assets and liabilities. These subsidiaries will be spun off to Verizon's Shareholders and then immediately merged with Fairpoint Communications, based in Charlotte, NC. Currently, FairPoint, the 17<sup>th</sup> largest U.S. telephone company operates in 18 states and has 249,000 access lines. Its focus is on rural markets. Since 1993, it has acquired 35 rural telephone operations and it continues to own and operate 31. The deal will create the 8th largest U.S. telephone company comprised of 1.2 million residential access lines, 450,000 business lines, 234,000 high-speed data subscribers, 60,000 wholesale access lines and 600,000 long distance customers. This new company will be a separate entity named Fairpoint. (FRP). At the time of the spin-off, Verizon shareholders will control 60% of the stock and nominate 6 of the 9 directors; Fairpoint will control 40% and appoint 3 directors.

The terms of the deal are as follows. This transaction will give a **Tax-Free spin-off of VZ operations and a Tax free merger into Fairpoint** (FRP). In this deal Verizon will get \$2.715 billion. (\$1.015 billion Fairpoint stock to Verizon shareholders and \$1.7 billion in cash and securities to Verizon, **funded by an equivalent amount of debt transferred to Fairpoint**) The \$1.7 billion in proceeds will be transferred to Verizon in the form of a \$900 million cash payment and the issuance of an \$800 million bond. Each Verizon investor will obtain 1 Fairpoint share valued at \$18.88 for every 55 shares of Verizon. It is interesting to note that the per line valuation is much less in this current deal than Verizon received when it sold its Hawaii properties. FairPoint will pay approximately \$1,774 per access line, or \$471 less per line than Verizon got for its Hawaii properties in 2005. If Verizon obtained the same per line price it would be receiving another \$749 million.

Fairpoint in turn will receive; Verizon plant, central offices, switches, customer lists, all internet systems from customer to the internet point of presence, internet customer lists, and FIOS (Fiber Optic Service network) build out around Nashua, NH. \$40 million from Verizon prior to the closing to support Fairpoint's transaction costs. \$55 million from Verizon Wireless for Fairpoint's 7.5% interest in the Orange County Poughkeepsie, NY wireless Partnership (Verizon Wireless already owns 85% of this company) to also defray transaction costs.

FairPoint argues that this transaction is a pretty good deal for its shareholders, and indeed it may be. Its shareholders get 40% ownership of a company while only contributing 14% of the access lines, 18% of the revenues and 24% of the EBITDA (earnings before interest, taxes, depreciation and amortization—also known as operating cash flow). While on the other hand, Verizon shareholders get 60% of a company for which they have contributed 6.1 times the access lines, 4.6 times the revenues, and 3.2 times the operating cash flow. FairPoint tells its shareholders that the price its paying is "attractive" and the transaction will result in "meaningful free cash flow accretion" to the company. Does this mean, from the perspective of Verizon, that it is selling the ME-NH-VT operations for less than full value? And does this also mean that Verizon is yet again sacrificing cash flow in the name of discarding "non-core" assets? Verizon shareholders will obtain shares in a new company heavily saddled with debt, in a company most have never heard of, and this, following a transaction in which they have had no say (only FairPoint shareholders get to vote on the deal).

F

## Article Highlights

- "Verizon is confident that, if necessary, it alone can generate sufficient production volumes to make deployment (of FIOS) viable"  
" *Interview with Mr. John White, Executive Director, Fiber to the Premises*" 10 November 2003  
<http://www.opticalkeyhole.com/interviews/verizon2.asp>
- "During the early 1990s. A carrier could opt to deploy fiber based upon gradually replacing the oldest infrastructure, or in areas where the highest revenue is generated. When deploying FTTP at that time, Verizon found that trouble-rates typically dropped in the order of 80%, and this rate has remained constant over the ten years since its installation".  
" *Interview with Mr. John White, Executive Director, Fiber to the Premises*" 10 November 2007  
<http://www.opticalkeyhole.com/interviews/verizon2.asp>
- "If you haven't heard by now, cable TV choice and competition have come to New Jersey! Verizon is investing \$1.5 billion over the next three years as part of its state-of-the-art fiber network in New Jersey. When it's complete, you'll be able to enjoy phone, Internet, and television service – all from Verizon!"  
" *Current linked page headline*" March 2007  
<http://www.tvchoicenj.com/LPage.asp?FID=15>
- "The cable industry knows that consumers are sick and tired of seeing big hikes in their cable TV bills year after year. As we've clearly seen in other states, when Verizon brings FIOS TV to the market, the cable industry slashes rates."  
" *Corporate Decisions Attempt to Stifle Free Speech in Cable TV Debate*"  
15 March 2006  
<http://newscenter.verizon.com/press-releases/verizon/2006/page.jsp?itemID=29671454>
- "Consumers are the biggest winners in Verizon's high-stakes engineering gamble, says Jan Dawson, a telecom analyst at Ovum. As phone and cable companies gird for war and beef up their networks, they'll be able to offer a cornucopia of new services. Bargains won't be far behind, he predicts."  
" *Verizon's army toils at daunting upgrade*" 1 March 2007  
[http://www.usatoday.com/money/industries/telecom/2007-03-01-verizon-usat\\_x.htm](http://www.usatoday.com/money/industries/telecom/2007-03-01-verizon-usat_x.htm)
- "Mind-bending speeds of 100 megabits per second or more. FIOS has nearly unlimited capacity for video, which is transmitted via a separate, dedicated wavelength. That way, Verizon says, video can't interfere with data transmissions, and vice versa."  
" *Verizon's army toils at daunting upgrade*" 1 March 2007  
[http://www.usatoday.com/money/industries/telecom/2007-03-01-verizon-usat\\_x.htm](http://www.usatoday.com/money/industries/telecom/2007-03-01-verizon-usat_x.htm)



- "Verizon's decision to run fiber to the home, "sets them apart from AT&T, which has chosen a more conservative" approach. Even so, Dawson says, "AT&T may find in a year or two that it doesn't have the capacity it needs to provide all the (broadband) services" that consumers want."

**"Verizon's army toils at daunting upgrade"** 1 March 2007

[http://www.usatoday.com/money/industries/telecom/2007-03-01-verizon-usat\\_x.htm](http://www.usatoday.com/money/industries/telecom/2007-03-01-verizon-usat_x.htm)

- "Three or four years ago we made the strategic decision that we wanted to be the premier provider of voice, data and video (services)," Babbio says. "We needed something that couldn't be beaten in terms of speed and capacity."

**Larry Babbio, Verizon's vice chairman** "Verizon's army toils at daunting upgrade"

1 March 2007

[http://www.usatoday.com/money/industries/telecom/2007-03-01-verizon-usat\\_x.htm](http://www.usatoday.com/money/industries/telecom/2007-03-01-verizon-usat_x.htm)

- "FairPoint is using fiber-optic technology in only one of the 18 states where it operates rural telephone companies. Johnson (FairPoint Chairman and CEO)said yesterday that the company plans to continue using Verizon's existing fiber-optic network in New Hampshire but said he does not know whether the company plans to expand the service in the future".

**"Verizon sells landlines in 3 states"** 17 January 2007

<http://www.concordmonitor.com/apps/pbcs.dll/article?AID=/20070117/REPOSITORY/701170312&SearchID=73273865299847>

- "Most of its operations are small, rural companies protected by a federal law that prevents competitors from offering telephone service to customers of companies that are classified rural. But by acquiring Verizon's 1.6 million northern New England landlines, the company will more than quadruple its size and have to meet Comcast and other competitors head on."

**"Telecom face-off"** 17 January 2007

<http://www.concordmonitor.com/apps/pbcs.dll/article?AID=/20070121/REPOSITORY/701210342&SearchID=73273865299847>

- "FairPoint has had its own issues with service in Maine, where the company has its largest New England presence. FairPoint-owned China Telephone Co. had the worst service rate of all 23 Maine telephone companies in 2005."

**"Telecom takeover?"** 25 February 2007

<http://www.concordmonitor.com/apps/pbcs.dll/article?AID=/20070225/REPOSITORY/702250354&SearchID=73273865299847>

- "Verizon's Fios network will deliver telephony, high-speed Internet and TV service at rates far faster than DSL or even most cable services. SBC and BellSouth are also upgrading their networks by putting fiber closer to customers while adding TV service."

**"Broadband's bargain hunt"** 20 July 2005

[http://news.com.com/Broadbands+bargain+hunt/2100-1034\\_3-5795541.html](http://news.com.com/Broadbands+bargain+hunt/2100-1034_3-5795541.html)

- "A fiber-optic connection to the home can easily transmit all of your data--Internet, telephone, and TV--with room to spare for applications not yet imagined. "If tomorrow you come out with new electronics that can do ten times the speed, the fiber doesn't have to be replaced," says Chris Pizzirani, Verizon vice president of broadband product management."

**"The Best Broadband ISPs in America"** 24 August 2006

<http://www.pcworld.com/article/id,126807-page,5-c,isps/article.html>

- "McElgunn expects AT&T to quietly begin to deploy FTTP, despite its protests, in areas where copper needs significant maintenance and ultimately, throughout its network." Tim McElgunn, chief analyst for Pike & Fischer's Broadband Advisory Services

**"Analysts predict an AT&T switch"** 13 February 2007

[http://telephonyonline.com/fttp/technology/att\\_ftth\\_gpon\\_021307/index.html](http://telephonyonline.com/fttp/technology/att_ftth_gpon_021307/index.html)

- "The fiber rollout plan is to pass 18 million premises by the end of 2010, or more than 50 percent of the approximately 33 million households in the company's 28-state wire line service area. The FIOS network build-out is on target to pass a total of 6 million premises by year-end 2006, with an additional 3 million a year planned through 2010." " FIOS is expected to generate positive operating income beginning in 2009, based in part on growing revenues from FIOS services combined with declining operational costs due to fiber network efficiencies. In addition, the company's total fiber investment is expected to be EBITDA-positive in 2008. " "Verizon expects to invest \$18.0 billion in net capital from 2004 through 2010. The total is net of approximately \$4.9 billion that Verizon estimates would otherwise be required to maintain traditional copper-wire technologies over the same period."

**"Converge network digest"** February 27-28

<http://www.convergedigest.com/DSL/lastmilearticle.asp?ID=19514>





## Research Links

[www.verizon fios.com/](http://www.verizon fios.com/)

-Verizon FIOS demonstration (Videos, interviews and interactive demos)

<http://www.speedmatters.org/> <http://www.stop-the-sale.org>

-CWA and IBEW web sites. Links and info about high speed Internet, why fiber is cutting edge and what you can do to help.

<http://www.tvchoicenj.com/>

-Video link. NJ Okays TV franchising Verizon fiber-optic network

<http://www.concordmonitor.com/apps/pbcs.dll/article?AID=/20070228/REPOSITORY/702280317&SearchID=73273865299847>

-March 4<sup>th</sup>, Sale of Northern states, concerns expressed by CLECS, unions and towns

<http://www.concordmonitor.com/apps/pbcs.dll/article?AID=/20070219/REPOSITORY/702190305&SearchID=73273865299847>

-Feb. 19<sup>th</sup>, Proposed merger, promise of high-speed in Northern states

<http://www.concordmonitor.com/apps/pbcs.dll/article?AID=/20070117/REPOSITORY/701170312&SearchID=73273865299847>

-Jan 17<sup>th</sup>, announcement of merger, comments and concerns from Fairpoint, OCA, PUC, and Union

<http://www.concordmonitor.com/apps/pbcs.dll/article?AID=/20070121/REPOSITORY/701210342&SearchID=73273865299847>

-Jan 21<sup>st</sup>, Competition between telecom giants Verizon and Comcast and how sale will to Fairpoint change the landscape.

<http://www.concordmonitor.com/apps/pbcs.dll/article?AID=/20070225/REPOSITORY/702250354&SearchID=73273865299847>

-Jan 25<sup>th</sup>, Fairpoint going from little fish to big fish with Verizon deal. Promise of high-speed in Northern states

[http://news.com.com/Broadbands+bargain+hunt/2100-1034\\_3-5795541.html](http://news.com.com/Broadbands+bargain+hunt/2100-1034_3-5795541.html)

-Pro Fios site, compare and contrast technologies of DSL and broadband. Features and Prices

<http://www.consumersearch.com/www/internet/isp/index.html>

-ISP providers, ratings and prices

[http://telephonyonline.com/fttp/technology/att\\_ftth\\_gpon\\_021307/index.html](http://telephonyonline.com/fttp/technology/att_ftth_gpon_021307/index.html)

-AT&T to switch to fiber, copper not viable with two direction video



<http://www.convergedigest.com/DSL/lastmilearticle.asp?ID=19514>

-Verizon Rollout and customer uptake

[http://telephonyonline.com/marketing/news/verizon\\_fiber\\_subscribers\\_012207/](http://telephonyonline.com/marketing/news/verizon_fiber_subscribers_012207/)

-Verizon Fios rollout to multi-Unit dwelling

<http://www.broadbandinfo.com/want-high-speed/providers/verizon/fios.html>

-Verizon service overview. DSL, FIOS

<http://www.fioscentral.com/article/advantages-of-fiber-optics-4-1.html>

-Advantages of Fiber Optics

<http://telecom.seekingalpha.com/article/24635>

-Breakdown of Verizon deal, shaky and skeptical

[http://www.consumerreports.org/cro/electronics-computers/laptop-desktop-computers/internet-service-providers-2-07/overview/0207\\_isp\\_ov\\_1.htm](http://www.consumerreports.org/cro/electronics-computers/laptop-desktop-computers/internet-service-providers-2-07/overview/0207_isp_ov_1.htm)

-Rating internet providers, Verizon #1

[http://www.ait.net/technos/tq\\_02/1lewis.php](http://www.ait.net/technos/tq_02/1lewis.php)

-Fiber Optics race, technology, costs, benefits

## **Government Websites:**

<http://puc.state.nh.us/>

NH Public Utilities Commission: 603-271-2431

<http://www.oca.nh.gov/>

Office of the Consumer Advocate: 603-271-1172

<http://www.nh.gov/index.html>

All purpose NH Government web-site

<http://www.nh.gov/government/local.html>

NH cities and towns

<http://www.gencourt.state.nh.us/whosmyleg/nswhosmyleg/>

NH State Rep and Senator Finder

<http://www.sec.gov>

Securities and Exchange Commission (Financial filings by Fairpoint form 8k)

[http://www.fcc.gov/Bureaus/Common\\_Carrier/Reports/FCC-State\\_Link/IAD/hspd0705.pdf](http://www.fcc.gov/Bureaus/Common_Carrier/Reports/FCC-State_Link/IAD/hspd0705.pdf)

-FCC data on high-speed internet services

F

## **SELECTMEN**

### **Atkinson**

21 Academy Avenue  
Atkinson, NH 03811  
**603-362-4920**

### **Brentwood Town Office**

1 Dalton Road  
Brentwood, NH 03833  
**603-642-6400**

### **Danville Town Office**

PO Box 11  
Danville, NH 03819  
**603-382-8253**

### **Epping Town Office**

157 Main Street  
Epping, NH 03042  
**603-679-8288**

### **Exeter Town Office**

10 Front Street  
Exeter, NH 03833  
**603-778-0591**

### **Greenland Town Office**

PO Box 100  
Greenland, NH 03840  
**603-431-7111**

### **Hampstead Town Office**

11 Main Street  
Hampstead, NH 03841  
**603-329-4100-X106**

### **Hampton Town Office**

100 Winnacunnet Road  
Hampton, NH 03842  
**603-926-0406**

### **Hampton Falls Town Office**

1 Drinkwater Road  
Hampton Falls, NH 03844  
**603-9264618**

### **Hudson Town Office**

12 School Street  
Hudson, NH 03051  
**603-866-6003**

### **Kensington Town Office**

95 Amesbury Road  
Kensington, NH 03833  
**603-772-5423**

### **Litchfield Town Office**

2 Liberty Way Suite 1  
Litchfield, NH 03052  
**603-424-4045**

### **Newfields Town Office**

PO Box 300  
Newfields, NH 03856  
**603-772-5070**

### **Newton Town Office**

PO Box 378  
2 Town Hall Road  
Newton, NH 03858  
**603-382-4096**

### **Nottingham Town Office**

PO Box 114  
Nottingham, NH 03290  
**603-679-9598**

## **SELECTMEN cont.**

### **Pelham Town Office**

6 Village Green  
Pelham, NH 03076  
Town Administrator Tom  
Gaydos 603-635-2040

### **Plaistow Town Office**

145 Main Street  
Plaistow, NH 03865  
603-382-8129

### **Rye Town Office**

10 Central Road  
Rye, NH 03870  
603-964-8562

### **Stratham Town Office**

10 Bunker Hill Avenue  
Stratham, NH 03885  
603-772-4741

### **Windham Town Office**

PO Box 120  
Windham, NH 03087  
603-434-5075

## **TOWN COUNCILORS**

### **Bedford Town Office**

24 North Amherst Road  
Bedford, NH 03110  
603-472-3550

### **TOWN OF DERRY**

14 Manning Street Derry, NH 03038  
Interim town Administrator **Dr. John  
Moody**  
603-434-6105

### **Londonderry Town Office**

50 Nashua Road, Suite 100  
Londonderry, NH 03053  
603-434-1100-X195

## **TOWN MANAGERS**

**Bedford:** Russell R. Marcoux

### **Salem Town Office**

33 Geremonty Drive  
Salem, NH 03079  
Dr. Henry E. LaBranche 603-890-  
2120  
603-890-2116

## **CITY MANAGERS and CITY COUNCILS**

### **Portsmouth City Clerk**

1 Junkins Avenue  
Portsmouth, NH 03801  
City Manager, John P. Bohenko  
603-610-7702  
603-610-7245

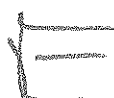
## **MAYORS and ALDERMEN**

### **Manchester**

1 City Hall Plaza  
Manchester, NH 03101  
Frank C. Guinta 603-624-6500  
603-624-6455

### **Nashua City Clerk**

PO Box 2019  
Nashua, NH 03061  
Bernard A. Streeter – Mayor 603-  
589-3260  
603-589-3010



# SANDFORD

**SURVEYING AND ENGINEERING Inc.**

597 NEW BOSTON ROAD BEDFORD, NH 03110-4111 ejssurvey@aol.com fax (603) 472-6604 voice (603) 472-2265

February 27, 2007

Board of Mayor and Alderman  
One City Hall Plaza  
Manchester, NH 03101

Re: Proposed Zoning Map Amendment for Dave's Auto, 116 So. Main Street, Map 315 / Lot 8

I am writing on behalf of David Larivee, owner of the above referenced property, to request a change in the location of the B - 2 / R - 3 zone line. The line currently runs through a portion of his property where his auto repair business, Dave's Auto, currently operates. He would like to adjust the line such that the entire property falls within the B - 2 zone. Attached are copies of tax maps of the area as well as a recent survey plan (Lot Line Adjustment Plan, approved last year by the Planning Board) and list of abutting property owners.

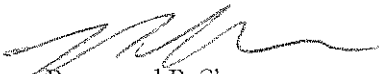
Mr. Larivee has operated his business at this location for many years. He feels he can better utilize his property and run his business more efficiently if the entire lot falls under the same zone. Approximately 7,120 SF or 24% of his lot is presently zoned residential. His proposal is to move the line to run along the perimeter of his lot.

We believe this change would have little affect on the surrounding neighborhood. The business is currently operating on the premises and would continue to operate in the same manner, with the rezoned area possibly to be used for parking or future re-location of a building. That portion of the property presently abutts a multi-family parking lot, a pedestrian trail and the backs of two residential lots.

Similarly, we feel the additional impact on municipal services and facilities would be little or none. City services being provided to the property / business or facilities being used by the landowner would not change due to this zoning adjustment. The uses would continue with little or no increase.

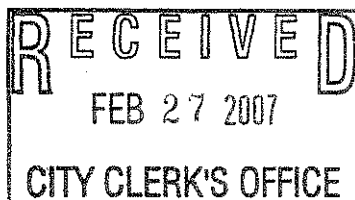
In closing, we feel this is a reasonable request, which will eliminate a split-zoned lot and remove an existing burden on the property. Thank you for your consideration in this matter.

Sincerely,



Raymond P. Shea

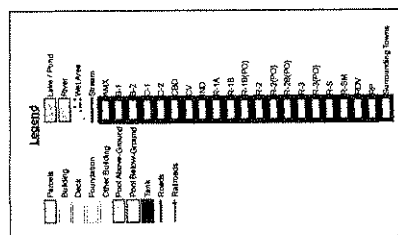
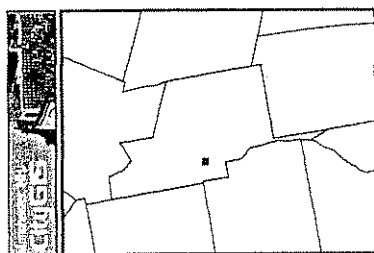
RPS/bal



RECEIVED  
MANAGER'S OFFICE  
FEB 27 2007

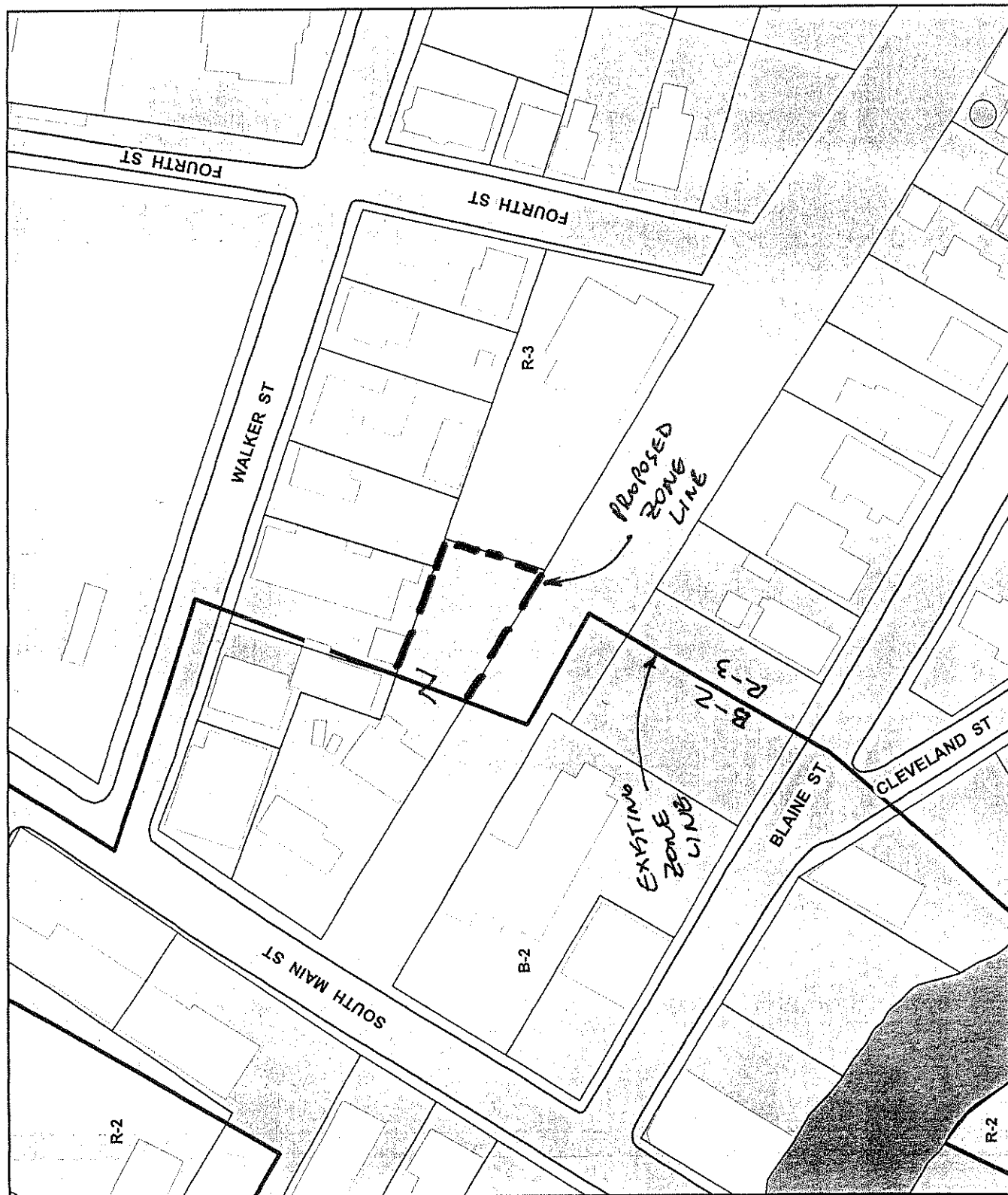


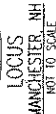




DISCLAIMER

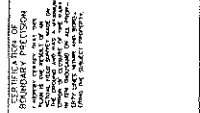
The information appearing on this map is for the City of Manchester, New Hampshire. This map is not survey quality. All boundaries, easements, areas, measurements, right-of-way, etc. appearing on this map should only be considered approximations, and as such have no official or legal value. The City of Manchester assumes no liability whatsoever concerning the accuracy, completeness, reliability, or suitability of this information for any particular use. The City assumes no liability whatsoever associated with the use or misuse of this information. The official public records from which the information was compiled are kept in the offices of the City of Manchester. The City of Manchester does not warrant or disclaim, and is not available for inspection and copying during normal business hours. By using this map, you agree to these terms and conditions.





## PLAN REFERENCES

- 1 LEAD IN WANDSWESTER, H.H. BOSTON AND MAINE CORPORA-  
TION TO JAMES G. LARNEY, DATED 12/12/90 BY JOHN HILLS,  
MEMO PLAN NO. 75501.
- 2 "BANK NIGHT OF NEW THRUWAY" 12.23.71  
DATED JUNE 30, 1914
- 3 LOT LING MANAGEMENT PLAN, CORON STREET REALTY INC. &  
STEPHEN A. THORNTON, "AT MAP 314 / LOT 8 & 9 AND  
MAP 315 / LOT 1, 99 & 100 YOUNG STREET & 151  
YARD STREET, WANDSWESTER, NEW HAMPSHIRE," DATED  
7/29/92 BY THORNTON SURVEYING AND ENGINEERING,  
MEMO PLAN NO. 32260.



CONSOLIDATION &  
LOT LINE ADJUSTMENT PLAN  
MAP 314 / LOT 7A & MAP 315 / LOTS 6 & 9  
CITY OF MANCHESTER &  
DAVE'S AUTO CENTER  
116 SOUTH MAIN STREET, WALKER STREET  
THIRD STREET & FOURTH STREET



TEL (603) 472-2265	FAX (603) 472-8604
197 NEW BOSTON ROAD, BEDFORD, NH 03110	
BOUNDARY SURVEYS - SUBDIVISIONS - SITE PLANS - SEPTIC DESIGNS	
PROJ. MAN.: RFS	CADD: LBN
CONTACT:	PROJ. NO: 000003
SCALE: 1" = 40'	CNS: RNN:IMD:076
DATE: 8/3/04	SHEET 1 OF 1

[illegible]

GRAPHIC SCALE  
( IN FEET )  
1 inch = 40 ft



*Craig, Deachman & Cowie, PLLC*

ATTORNEYS AT LAW  
Since 1929

84 Bay Street  
Manchester NH 03104  
Phone 603•669•3970  
Phone 603•665•9111  
Fax 603•296•2289

William H. Craig  
James W. Craig  
W. John Deachman  
Marc van Zanten

April 17, 2007

Leo R. Bernier, Clerk  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

Re: Frederick H. Nixon, Jr.  
466 So. Willow Street, Manchester, New Hampshire

Dear Mr. Bernier:

Enclosed herein please find an original Proposed Zoning Amendment which we are filing on behalf of Mr. Nixon regarding the above-referenced matter. Please also find enclosed our check in the amount of \$300.00 to cover filing fees for same.

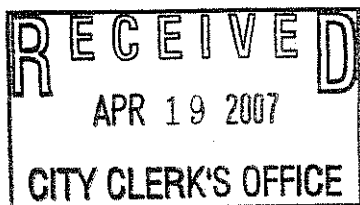
Thank you for your attention to this matter.

Very truly yours,

  
James W. Craig Esquire

JWC/jlb  
Enclosure

cc: Frederick H. Nixon, Jr.



  
THE H.H. RICHARDSON BUILDING

## **BOARD OF ADJUSTMENT**

### ***CITY OF MANCHESTER, NH***

**IN RE: 466 SO. WILLOW STREET, MANCHESTER, NH**

### **PROPOSED ZONING AMENDMENT**

OWNER: Frederick H. Nixon, Jr.

1. Property Description

The property at issue is located at 466 So. Willow Street in Manchester, New Hampshire. It is Map 381, Lot 47 on the Manchester Tax Map (TAB A) located at the intersection of So. Lincoln Street at Parkview Street. It is currently leased to Auto-Torium of 1313 Hooksett Road, Hooksett, New Hampshire. The entire lot is used as a car dealership.

2. Statement of Purpose

The Nixon lot has been used for years as an automobile dealership. The front portion of the lot, closest to So. Willow Street, is zoned B-2 (General Business District) which is a permitted use. The rear of the lot (in yellow) (TAB B) is zoned R-1B (Neighborhood) in which the use is not permitted. It is the intention of this proposal to have the City of Manchester extend the B-2 Zone to include all of Tax Map 381, Lot 47. We have also attached a Proposed site Plan for your information. (TAB C).

3. Property Tax Map

The property Tax Map indicates the Nixon Lot (381-47) and demonstrates how the lot is bisected by the current zoning layout.

6

4. Impact of Proposed Amendment

The Nixon lot has been used as an auto dealership since the 1960's. Since that time South Willow Street has developed into the premier retail/wholesale area in the City. The Nixon lot fronts upon So. Willow Street. Hertz Rental abuts the lot. Directly across So. Willow Street are commercial uses such as Dynatune Batteries Plus, Payday and U-Haul. Directly off of So. Willow Street and behind the Nixon lot are residential neighborhoods on Parkview Street and Doris Street. This is a classic case where commercial uses abut residential neighborhoods but since this has been the case since the 1960's and there will be no change in use, there should be no impact on existing adjacent neighborhoods.

5. Impact on City

Since this is a minor change in the zoning ordinance and since it is being requested to accommodate a long existing use, there should be no impact upon the City's economy, environment, municipal services or facilities.

6. Abutters

See attached list

7. Fee attached

\$300.00 Enclosed.

G

**LIST OF ABUTTERS**

446 So. Willow Street – Bradford Oil Co., Inc. – Lot 437-3

469 So. Willow Street – Charles Zoulas – Lot 437-1L, 1K

476 So. Willow Street – Theodore Katsarakas – Lot 381-48

428 So. Willow Street – Donald W. York – Lot 381-21

264 So. Lincoln Street – Dora Hitchen – Lot 381-33

24 Parkview Street – Thomas Stanley, Jr. – Lot 381-34

34 Parkview Street – Phyllis P. Kline – Lot 381-35

42 Parkview Street – Richard K. Provencher – Lot 381-36

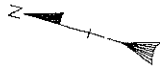
41 Parkview Street - Jennifer L. Jones – Lot 381-46

24 Doris Street – Victoria Engheben – Lot 381-49

G



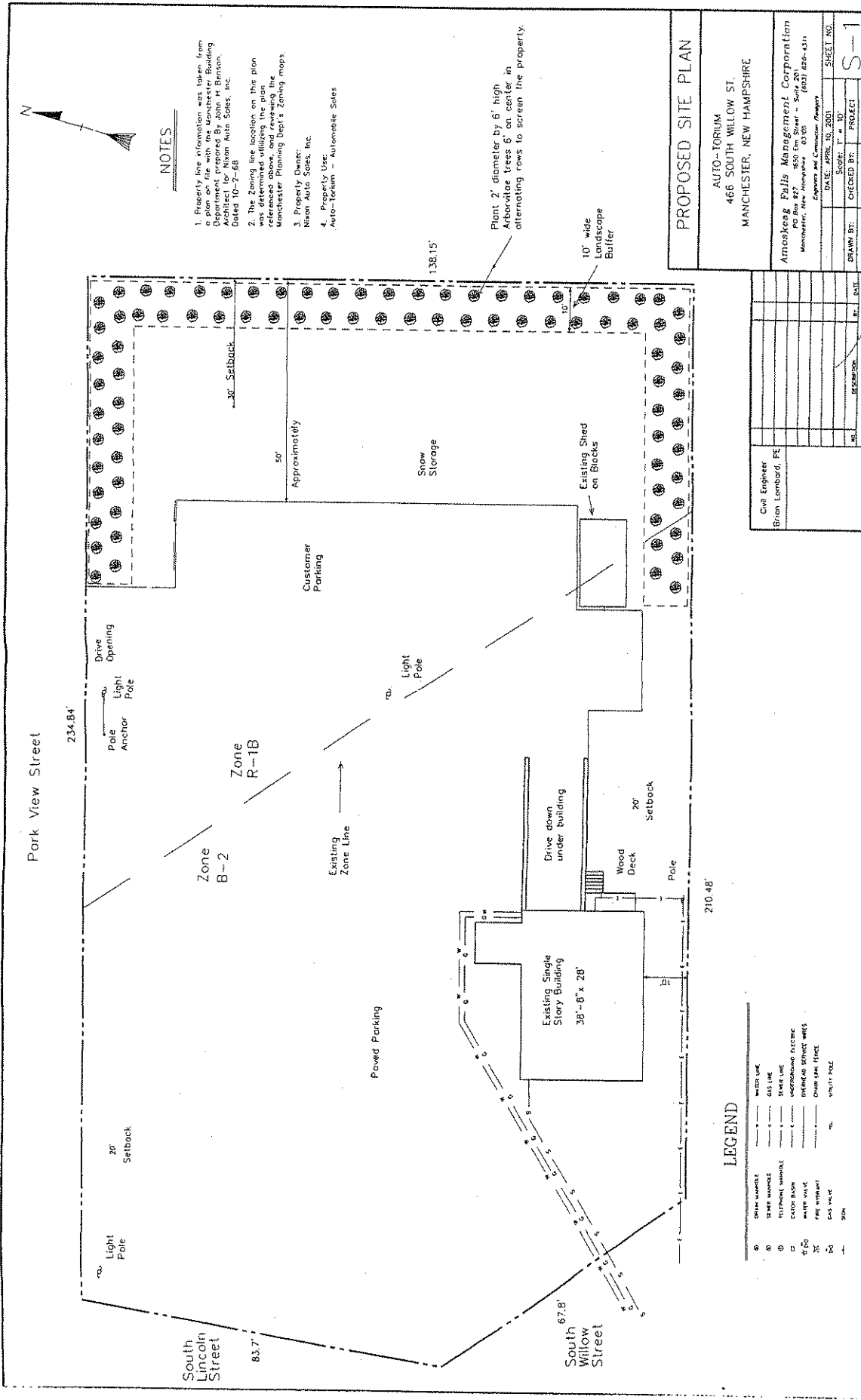




NOTES

1. Property line information was taken from a plan on file with the Manchester Building Department, dated 10-2-68, by John H. Benson, Architect for Nixon Auto Sales, Inc.
2. The Zoning line inscribed on this plan was determined utilizing the plan referenced above, and reviewing the Manchester Planning Dept's Zoning maps.
3. Property Owner: Nixon Auto Sales, Inc.
4. Property Use: Auto-Torium - Automobile Sales

Plant 2' diameter by 6' high Arborvitae trees 6' on center in alternating rows to screen the property.



PROPOSED SITE PLAN

AUTO-TORIUM  
466 SOUTH WILLOW ST.  
MANCHESTER, NEW HAMPSHIRE

Amoskeag Falls Management Corporation  
PO Box 277 1650 Elm Street - Suite 201  
Manchester, New Hampshire 03105 (603) 626-4311

DATE: APRIL 10, 2001	SHEET NO.
CHECKED BY: [Signature]	S-1
PROJECT: [Signature]	

NO.	DESCRIPTION	DATE
1	Civil Engineer	
2	Brian Lombard, PE	

LEGEND

DRIVE WAY	WATER LINE
SEWER MANHOLE	GAS LINE
SEWER MANHOLE	SEWER LINE
CATCH BASIN	UNDERGROUND FLOOR
WATER VALVE	UNDERGROUND SERVICE WELLS
FIRE HYDRANT	OTHER (SEE TITLE)
GAS VALVE	UTILITY POLE
SEWER	

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Eighty Seven Thousand Five Hundred Eighteen Dollars (\$87,518) for the FY2007 CIP 214507 Cities Readiness Initiative.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept grant funds in the amount of \$87,518 from the State of New Hampshire Department of Health and Human Services for the implementation of the Cities Readiness Initiative;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

**By adding:**

FY2007 CIP 214507 – Cities Readiness Initiative - \$87,518 State

Resolved, that this Resolution shall take effect upon its passage.

H



# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Five Hundred Ten Dollars (\$30,510) for the FY2007 CIP 214607 Pandemic Flu Planning.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept grant funds in the amount of \$30,510 from the State of New Hampshire Department of Health and Human Services for the implementation of Pandemic Flu Planning;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

**By adding:**

FY2007 CIP 214607 – Pandemic Flu Planning - \$30,510 State

Resolved, that this Resolution shall take effect upon its passage.

H

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Ten Thousand Two Hundred Seven Dollars (\$210,207) for the FY2007 for Fire Department’s Security Fiber Connections Project and the 2006 HazMat Allocation Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to accept two Homeland Security Grants from the State 2006 State Homeland Security Program to be used for Hazmat Equipment Training and Security Fiber Connections;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

**By adding:**

FY2007 CIP 412507 – 2006 HazMat Allocation Project - \$73,425 State

**By adding:**

FY2007 CIP 412607 – Security Fiber Connection Project - \$136,782 State

Resolved, that this Resolution shall take effect upon its passage.

H

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Dollars (\$30,000) for the FY2007 CIP 612707 Neighborhood Pride – Youth Employment (Cleanstreets) Program.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budgets; and

WHEREAS, Table 1 contains all sources of Federal, State and Other funds and Table 2 contains all sources of Community Development Block Grant, Emergency Shelter Grant and HOME funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to initiate the creation of a summer youth program utilizing existing Unprogrammed CDBG funds in the amount of \$25,000 and additional Private funding in the amount of \$5,000; and

WHEREAS, funds in the amount of \$25,000 are available through CDBG Unprogrammed funds;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

**By adding:**

CIP 612707 – Neighborhood Pride – Youth Employment (Cleanstreets) Program - \$25,000 CDBG & \$5,000 Other

Resolved, that this Resolution shall take effect upon its passage.

H

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Five Hundred Ninety Nine Thousand Seven Hundred Ninety Eight Dollars and Twenty Eight Cents (\$599,798.28) for FY2007 CIP 712207 Hands Across The Merrimack Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to accept funds in the amount of \$599,798.28 from the State of New Hampshire Department of Transportation - ISTEA Program for the construction of the Hands Across the Merrimack Pedestrian Bridge;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

**By increasing:**

FY2007 CIP 712207 – Hands Across The Merrimack Project - \$599,798.28 – State ISTEA  
(From \$250,000 Bond to \$250,000 Bond; \$599,798.28 State)

Resolved, that this Resolution shall take effect upon its passage.

H

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

"Amending the FY2001, FY2003, FY2005, FY2006 and FY2007 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Two Million One Hundred Twenty Thousand Dollars (\$2,120,000) for various CIP Projects."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2001, 2003, 2005, 2006 and 2007 CIP as contained in the 2001, 2003, 2005, 2006 and 2007 CIP budget; and

WHEREAS, Table 5 contains all sources of Enterprises, Fees and Other Dedicated Source funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to transfer existing fund balances from various EPD Projects in the amount of \$2,120,000 to allow for the completion of CIP 711105 - CSO - Phase I (Bremer Street) and CIP 711806 - CSO Crescent Road Basin Projects; and

NOW, THEREFORE, be it resolved that the 2001, 2003, 2005, 2006 and 2007 CIP be amended as follows:

**1) By decreasing and revising:**

- a) **FY2001 CIP 740001 - CSO Abatement Projects - \$710,000 Enterprise**  
(From \$17,700,000 to \$16,990,000)
- b) **FY2003 CIP 710203 - CSO Projects - \$900,000 Enterprise**  
From \$7,989,418.74 (\$4,330,000 Enterprise; \$3,519,927.34 Other; and \$139,491.40) to \$7,089,418.74 (\$3,430,000 Enterprise; \$3,500,000 Federal; and \$159,418.74 FEMA/State)
- c) **FY2007 CIP 712507 - Sewer Infrastructure Repair - \$510,000 EPA**  
(from \$2,000,000 Enterprise to \$1,490,000 Enterprise)

**2) By increasing and revising:**

**FY2005 CIP 711105 - CSO - Phase I (Bremer Street) Project - \$920,000 EPA**  
From \$6,080,000 Enterprise to \$7,000,000 (\$6,070,850 Enterprise and \$929,150 EPA)  
**FY2006 CIP 711806 - CSO Crescent Road Basin Project - \$1,200,000**  
From \$3,600,000 Enterprise to \$4,800,000 (\$4,403,200 Enterprise; \$396,800 EPA)

Resolved, that this Resolution shall take effect upon its passage.

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Authorizing the Finance Officer to effect a transfer of Fifty Five Thousand Dollars (\$55,000) from Contingency to Police”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Overtime Salary	Account 3301C10130.....\$16,000
Special Projects	Account 3301C10898.....\$39,000

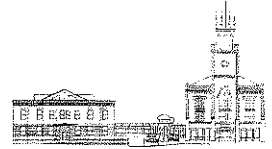
Resolved, that this resolution shall take effect upon its passage.

For “Drugs and Guns Program”

H



## CITY OF MANCHESTER Board of Aldermen



Memo To: Board of Mayor and Aldermen  
From: Alderman Jerome Duval  
Ward 4  
Date: May 4, 2007  
Re: Funding for Operation DAG for FY07

It is my understanding that the Police Department is in need of funding to carry the battle against Drugs and Guns (DAG) in the City from now through the end of this Fiscal Year. While we had addressed the needs for the summer and fall of FY2008, the project remains in need of funding through July 1<sup>st</sup>.

I am asking support from the Board in transferring \$55,000 from contingency to fund this needed service through July 1<sup>st</sup>. I have requested the City Clerk provide the appropriate resolution for the Board's consideration on May 15<sup>th</sup>.

H

City of Manchester  
New Hampshire

*In the year Two Thousand and Seven*

A RESOLUTION

“Authorizing the Finance Officer to effect a transfer of One Thousand One Hundred Fifty Dollars (\$1,150) from Contingency to Civic Contributions.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Civic Contributions	Account 1710C10935.....\$1,150
---------------------	--------------------------------

For “Brookside International Community Garden”

Resolved, that this resolution shall take effect upon its passage.

H



**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that a request to hang a banner on Elm Street at the start of the CIGNA HealthCare/Elliot Hospital Corporate Road Race on August 9 be granted and approved subject to coverage of any liability by the city as determined by the Risk Manager.

*(Unanimous vote)*

Respectfully submitted,



Clerk of Committee

Christine Robinson



CIGNA HealthCare

April 30, 2007

Mr. Leo Bernier  
City Clerk, City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

**FAX 624-6481**

Dear Mr. Bernier:

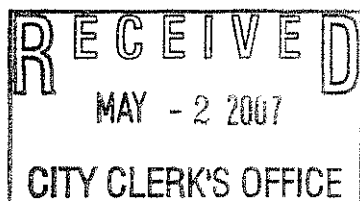
Please accept this as a formal request on behalf of CIGNA HealthCare of New Hampshire, to hold the 15<sup>th</sup> Annual CIGNA HealthCare/Elliott Hospital Corporate Road Race in Manchester on Thursday, August 9, 2007 at 6:20 p.m. The 5K road race is open to corporate teams and individual runners and walkers. Veterans Park will be the registration and awards site.

We anticipate that approximately 6,000 runners and walkers will participate in this year's event, with the race proceeds to help combat childhood obesity in New Hampshire.

The race course is as follows: *A 5K (3.1 mile) loop starting at Amherst and Elm Street, heading north on Elm Street, turning west on Thayer, south on River Road and Canal Street and finishing on Merrimack Street, next to Veterans Park.*

In order to have time to set up, we are anticipating the need to close Merrimack Street, from Elm to Chestnut, beginning at 2:00 p.m. on August 9th. Local traffic would be able to access the east end of the block from Chestnut to the Merrimack Street garage. We have spoken with Sgt. Bartlett about posting temporary no parking signs along Merrimack Street that day to facilitate set up of the finish line and staging. Sgt. Bartlett is also assisting us by obtaining the approved permit from the city's police, fire, and highway departments.

In addition, we are also seeking permission from the city to hang a 60-foot banner across Elm Street marking the start of the race. The banner would be set up at 6:00 p.m. and be removed immediately after the runners and walkers have passed.



Mr. Leo Bernier  
Page 2  
April 30, 2007

I will fax the completed permit, as well as the Certificate of Insurance that CIGNA HealthCare/ Elliot Hospital obtains for the event as soon as I receive them. Thank you for your consideration and we look forward to hearing from you.

Sincerely,

*Christine Robinson*  
Christine Robinson  
CIGNA HealthCare  
603.268.7872

cc: Susanna Whitcher, Elliot Hospital  
Carol Martin, CIGNA HealthCare

I

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that the Board of Mayor and Aldermen issue a directive to all departments that when purchasing office supplies, printer and fax toner cartridges or copy paper they make every effort to do so under the terms and conditions of the contract with W. B. Mason.

The Committee notes that the Highway Department Purchasing Division will provide information to the departments relating to the contract as generally outlined herein.

*(Unanimous vote)*

Respectfully submitted,



Clerk of Committee





**City of Manchester  
Department of Highways**

227 Maple Street  
Manchester, New Hampshire 03103-5596  
(603) 624-6444 Fax # (603) 624-6487

**Commission**

Edward J. Beleski  
- Chairman  
Joan Flurey  
William F. Houghton Jr.  
Robert R. Rivard  
William A. Varkas

Frank C. Thomas, P.E.  
Public Works Director

Kevin A. Sheppard, P.E.  
Deputy Public Works Director

May 1, 2007

Honorable Administration Committee Members  
C/O Alderman Dan O'Neil, Chairman  
One City Hall Plaza  
Manchester, NH 03101

**RE: Progress Report, Purchasing Division**

Dear Committee Members:

Since your last meeting, the Purchasing Division has been busy with the following:

- Working with the Information Systems Department to create a Purchasing Division page on the City's website. Our vision is to have one central location for information on bids and RFP's for the entire City. The web page will include an e-mail sign-up for individuals and companies to be notified when bids and RFP's are being advertised (similar to the snow emergency notification that the City currently has).

**NOTE: In order to accomplish this, we will need the cooperation of all City departments and look to the Committee for guidance on this issue.**

- Posting general bid documents and current contracts on the City's G drive, so that information is readily available to all City departments.
- We have become members of a National Organization "NIGP" (National Institute of Government Purchasing). This organization will give us access to seminars and training to better our purchasing abilities, as well as give us access to reference materials. We just recently attended a seminar on the RFP process.

2

- Finalizing, advertising and mailing out the Invitation to Bid for office supplies. The bid was awarded to W.B. Mason on April 18. Highlights of the contract:
  - The City will now receive an 82.70% discount, as opposed to a 61% discount previously, on most general office supplies. If you take the FY07 general supply budget for the City of \$323,035, this would equate to a **savings of approximately \$70,098.**
  - Printer and fax toner cartridges, which are currently purchased by departments with a number of different vendors, will now be purchased with one vendor. We **estimate a savings of approximately \$10,000 a year** under this new contract. All cartridges will be new, OEM (original equipment manufacturer) cartridges, which were recommended by our Information Systems department.
  - A recycling program will be instituted for empty printer and fax cartridges. Details of the program will be worked out with W.B. Mason and the information will be disseminated to all City departments.
  - Industry prices for copy paper are on the rise and most companies are paying between \$27 and \$29 per case right now. With this contract, the City will be paying \$25.90 for a case of 8 ½ x 11 copy paper. The City currently buys over 100 cases of copy paper per month. If we take the low number of \$27/case, that equates to yearly savings **of approximately \$1,320.**
  - W.B. Mason will provide an accurate accounting of all products and quantities ordered by department and cumulative for the City on a quarterly basis to the Purchasing Division.
  - W.B. Mason accepts the P-cards and most, if not all, departments are currently set-up with their own W.B. Mason accounts and are able to place their orders by phone, fax or the Internet. A representative from W.B. Mason will be available to set-up online accounts and provide training as required by City departments.
  - Delivery is next day and there is no charge. Free same day delivery is available for orders placed before 11 AM with delivery by 5 PM.

**NOTE: In order to achieve the utmost cost savings for the City, we recommend that the Board of Mayor and Aldermen issue a directive to all departments that when purchasing office supplies, printer and fax toner cartridges, or copy paper, they do so under the terms and conditions of the contract with W. B. Mason.**



## FUTURE PLANS

- Finalize design of web page;
- Set-up meetings with City departments to discuss their needs regarding purchasing and how we can be of assistance; and
- Continue to look at areas in which cost savings can be obtained through bulk purchasing, i.e. copiers, custodial supplies and printing services.

If you have further questions or would like me to attend the meeting to answer questions, please let me know.

Respectfully Submitted,

A handwritten signature in black ink, reading "Melinda Salomone-Abood". The signature is written in a cursive, flowing style.

Melinda A Salomone-Abood  
Public Works Purchasing Agent.

A small, handwritten mark at the bottom center of the page, resembling a stylized 'T' or 'L'.

# CITY OF MANCHESTER

		LIST PRICE	2007 PRICE	2006 PRICE	\$ SAVED
	BINDERS				
AVEK31110BK	AVERY REFERENCE BINDERS (1"),BLACK	\$ 3.78	\$ 0.65	\$ 1.47	\$ 0.82
AVEVB1120WE	AVERY PRESENTATION BINDER (2"), WHITE	\$ 13.48	\$ 2.33	\$ 5.24	\$ 2.91
	CALENDARS				
AAGE71750	AT-A-GLANCE CALENDAR REFILL (3 1/2 X 6)	\$ 5.87	\$ 1.02	\$ 2.28	\$ 1.27
AAGSK2200	AT-A-GLANCE REFILLABLE DESK PAD (22" X 17"0	\$ 31.19	\$ 5.40	\$ 12.13	\$ 6.74
AAGG20000	DAYMINDER WEEKLY APPT. BOOK (4 7/8 X 8)	\$ 16.19	\$ 2.80	\$ 6.30	\$ 3.50
	FILE FOLDERS				
ESS4152 1/5	REINFORCED HANGING FOLDERS 1/5 CUT	\$ 25.65	\$ 4.44	\$ 9.98	\$ 5.54
ESS752 1/3	MANILA FILE FOLDERS 1/3 CUT LTR. SIZE	\$ 23.10	\$ 4.00	\$ 8.99	\$ 4.99
	HIGHLIGHTER				
AVE24000 /DZ	AVERY HI - LITER, YELLOW	\$ 4.25	\$ 0.74	\$ 1.65	\$ 0.92
	LABELS				
AVE5260	AVERY WHITE LABELS MAILING (1" X 2 5/8")	\$ 12.62	\$ 2.18	\$ 4.91	\$ 2.73
	MARKERS				
AVE08888	MARKS - A - LOT PERMANENT MARKERS, BLACK	\$ 1.44	\$ 0.25	\$ 0.56	\$ 0.31
SAN83074	EXPO DRY - ERASE MARKERS, AST.	\$ 7.16	\$ 1.24	\$ 2.79	\$ 1.55
	PENCILS				
PAP30311	PAPERMATE SHARPWRITER	\$ 6.60	\$ 1.14	\$ 2.57	\$ 1.43
	PENS				
PAP63301/DZ	PAPERMATE FLX, GRIP MED. BLK.	\$ 11.40	\$ 1.97	\$ 4.43	\$ 2.46



# CITY OF MANCHESTER

		LIST PRICE	2007 PRICE	2006 PRICE	\$ SAVED
	POST - ITS				
UNV35669/DZ	3 X 3 ASST. COLORS STICKY NOTES	\$ 11.89	\$ 2.06	\$ 4.63	\$ 2.57
SBC23152/DZ	1 1/2" X 2" YW. STICKY NOTES	\$ 5.95	\$ 1.03	\$ 2.31	\$ 1.29
	STAPLES				
BOSSBS1914CP	BOSTITCH STANDARD STAPLES	\$ 2.59	\$ 0.45	\$ 1.01	\$ 0.56
	TABS				
AVECI209-5C	WORKSAVER TAB 8 1/2" X 5 1/2" INSERTABLE DIV.	\$ 1.78	\$ 0.31	\$ 0.69	\$ 0.38
AVE23075	WRITE ON DIVIDERS ERASABLE 5 TABS	\$ 1.68	\$ 0.29	\$ 0.65	\$ 0.36
	TAPE				
MMM810K16	TAPE 3/4" X 27.7 YDS.) 16/PACK	\$ 50.90	\$ 8.81	\$ 19.80	\$ 10.99
	WRITING PADS				
AMP25270	AMPAD STENO BOOK 6 X 9	\$ 2.58	\$ 0.45	\$ 1.00	\$ 0.56
AMP20170/DZ	AMPAD EVIDENCE RCY. PERF. PADS 8 3/2" X 11 3/4"	\$ 34.32	\$ 5.94	\$ 13.35	\$ 7.41
AMP20154/DZ	AMPAD EVIDENCE RCY. PERF. PADS 5" X 8"	\$ 26.10	\$ 4.52	\$ 10.15	\$ 5.64

27

## To the Board of Mayor and Aldermen of the City of Manchester:

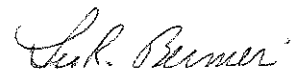
The Committee on Community Improvement respectfully recommends, after due and careful consideration, that acceptance, transfer and expenditures of funds for various projects outlined below:

214507 Cities Readiness Initiative \$87,518  
214607 Pandemic Flu Planning \$30,510  
412507 Hazmat Allocation Project \$73,425  
412607 Security Fiber Connections Project \$136,782  
612707 Neighborhood Pride –Youth Employment (Cleanstreets) \$30,000  
712207 Hands Across the Merrimack \$599,798.28  
810306 Economic Development Planning/Master Plan (Revision #1)  
– project extension through 12/31/07;  
various EPD Projects \$2,120,000

be granted and approved and for such purpose amending resolutions and budget authorizations have been submitted.

*(Unanimous votes)*

Respectfully submitted,



Clerk of Committee



**To the Board of Mayor and Aldermen of the City of Manchester:**

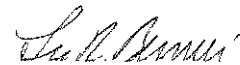
The Committee on Community Improvement respectfully recommends, after due and careful consideration, that petitions:

Layout and discontinuance of a portion of Elm East Back Street  
(AKA Manhattan Lane, AKA Harry Theo Drive); and  
Discontinuance of a portion of Litchfield Lane

be referred to a Road Hearing at a date to be set by the City Clerk.

*(Unanimous Vote)*

Respectfully submitted,



Clerk of Committee

L

To the Honorable Board of Mayor and Alderman of the  
City of Manchester:


PETITION TO DISCONTINUE  
ELM ST. EAST BACK/HARRY THEO DRIVE

The Undersigned, Michael Kapos for Michael's School of Hair Design, respectfully represent that for the accommodation of the public there is occasion for discontinuing a highway known as Elm St. East Back (recently renamed; Harry Theo Drive) in Manchester, New Hampshire located between Cedar and Auburn St just off Elm St.

Discontinuance of this highway will require a utility easement for the servicing of the 24" public sewer line that is in the southerly half of the highway extending from Auburn St.

Now therefore, the undersigned hereby respectfully request you to discontinue the above-described portion of Elm St. East Back/Harry Theo Dr..

Dated this day 22<sup>nd</sup> day of March 2007.

By:   
Michael Kapos – Owner 533 Elm St.

**Cliff Harris**

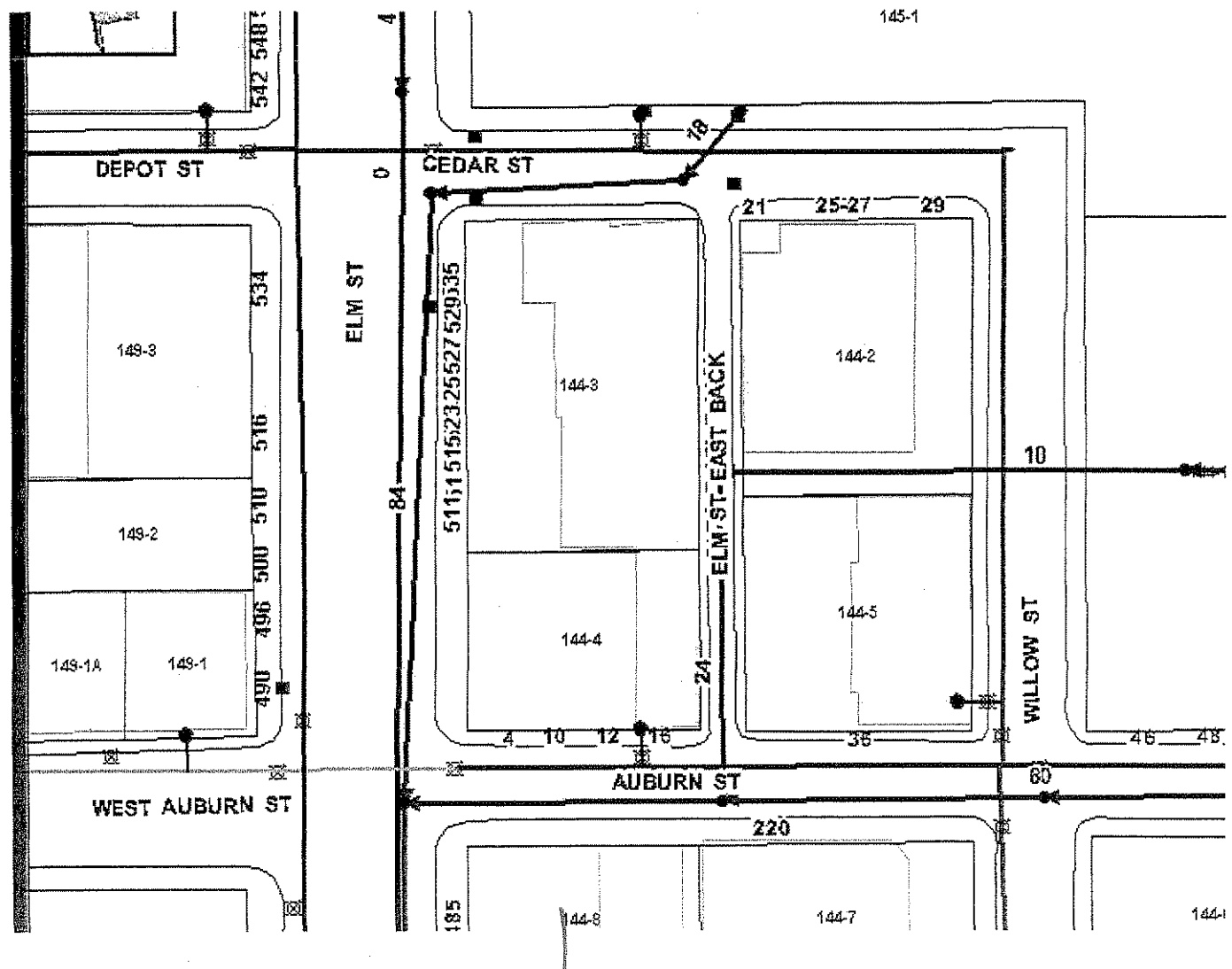
**From:** MICCIO, Martin [MMICCIO@manchesternh.gov]  
**Sent:** Wednesday, December 06, 2006 4:04 PM  
**To:** charris@pruverani.com  
**Subject:** FW: Discontinuance example

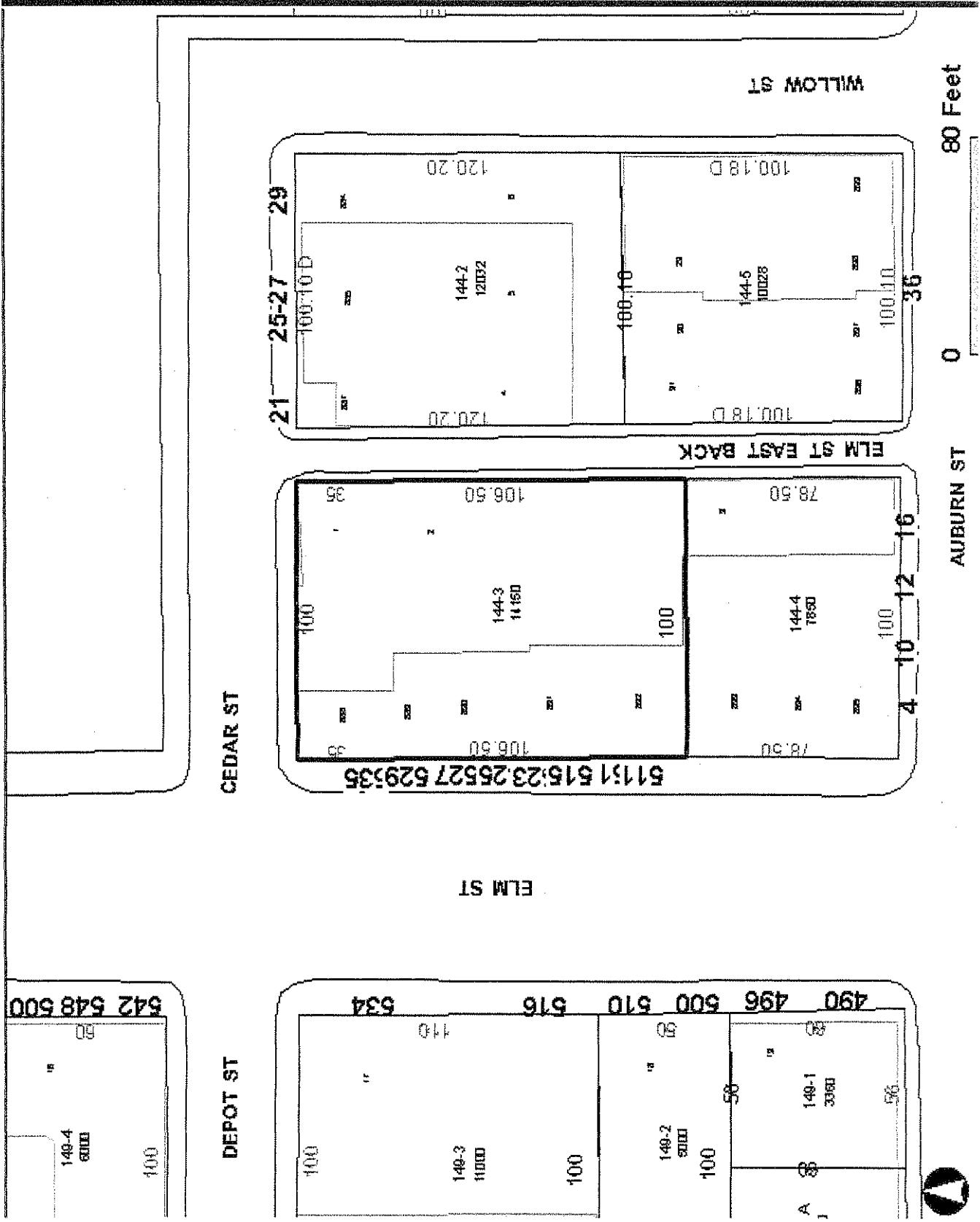
Email sent August 10, 2006

**From:** MICCIO, Martin  
**Sent:** Thursday, August 10, 2006 4:16 PM  
**To:** 'Cliff Harris (charris@pruverani.com)'  
**Subject:** Discontinuance example

I believe that Elm East Back Street was the subject of a name change to Manhattan Lane (Alley from Cedar St to Auburn St between Elm St and Willow St). However I do not have a reference of that record; possibly the City Clerk can locate that record. Certainly that would be evidence of it's public status. Additionally the City prepared a grade sheet for the alley in 1931.

There appears to be a 24" public sewer in the southerly half of the alley and any discontinuance would require an easement reservation.





# The Granite State Fruit Co., Inc.

ESTABLISHED OCTOBER 5, 1935

30 AUBURN STREET, MANCHESTER, NH 03103

TELEPHONE: 603-627-4131 FACSIMILE: 603-627-0480

April 18, 2007

City Clerk's Office  
One City Hall Plaza  
Manchester, NH 03101

RE: Street Discontinuance

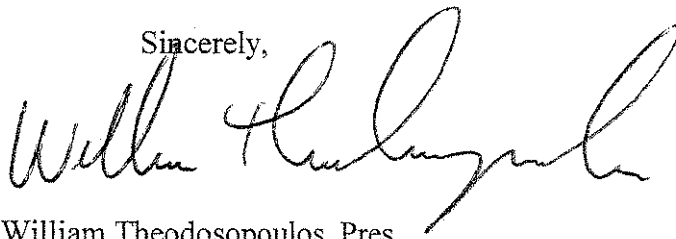
To Whom It May Concern:

In recent conversations with Manchester Highway Department officials, I learned that a request has been made by Michael Kapos that the City discontinue use of "Harry Theo Lane," formerly known as either Manhattan Lane or Elm Street Back Alley East. This section of alley runs between Auburn and Cedar streets about 100 feet east of Elm.

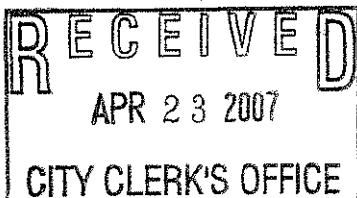
Should this request be granted, future tractor-trailer deliveries to my business would be impossible, dealing Granite State Fruit a crippling, possibly fatal blow. Currently these trucks enter my lot via Auburn Street and exit via the alley to Cedar Street where access to Willow Street and surrounding roadways is easy, straightforward, safe and convenient. Without use of the alley, big rigs would be forced to exit my lot by backing a 22 foot tractor with an attached 53 foot trailer out into traffic on Auburn...an extremely hazardous maneuver that all of my suppliers that I have spoken with refuse to attempt owing to the risk and liability.

I understand that the customary process for handling discontinuance requests includes a formal hearing where abutters may voice their opinions. I would appreciate being notified of this hearing. Thank you.

Sincerely,



William Theodosopoulos, Pres.  
Granite State Fruit Company, Inc.



L



**City of Manchester  
Department of Highways**

227 Maple Street  
Manchester, New Hampshire 03103-5596  
(603) 624-6444 Fax # (603) 624-6487

**Commission**

Edward J. Beleski  
- Chairman  
Joan Flurey  
William F. Houghton Jr.  
Robert R. Rivard  
William A. Varkas

Frank C. Thomas, P.E.  
Public Works Director

Kevin A. Sheppard, P.E.  
Deputy Public Works Director

April 17, 2007

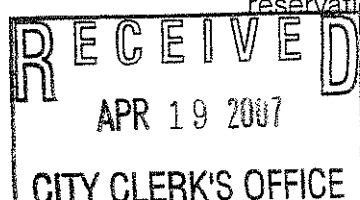
Community Improvement Committee of the Board of Mayor and Aldermen  
City Hall  
c/o Leo R. Bernier, City Clerk  
One City Hall Plaza  
Manchester, New Hampshire 03101

RE: PETITION FOR LAYOUT AND DISCONTINUANCE OF A PORTION OF ELM EAST  
BACK STREET, AKA MANHATTAN LANE, AKA HARRY THEO DRIVE

Dear Committee Members,

We have reviewed the referenced item and have found the following:

- **Elm East Back Street** was originally dedicated by plan of the Amoskeag Company as a 220' long by 20' wide passageway. The date of that plan is unknown but it appears to be earlier than 1893.
- No acceptance of that dedication or return of layout for **Elm East Back Street** was found in the records of the City Clerk.
- However, it appears the street has public status by implied acceptance by the City and/or prescriptive use by the public.
- The portion of this street north of Cedar Street was also not accepted or laid out by the City. However, the Board of Mayor and Aldermen discontinued that section in August of 1961.
- The Highway Department maintains this section of street.
- The records of the Highway Department indicate a City sewer pipe lies in the southerly portion of the street. At a minimum, these pipes require a reservation of easement rights to the City, although the Highway Department prefers a reservation of a utility easement over the length of the discontinued street.




L



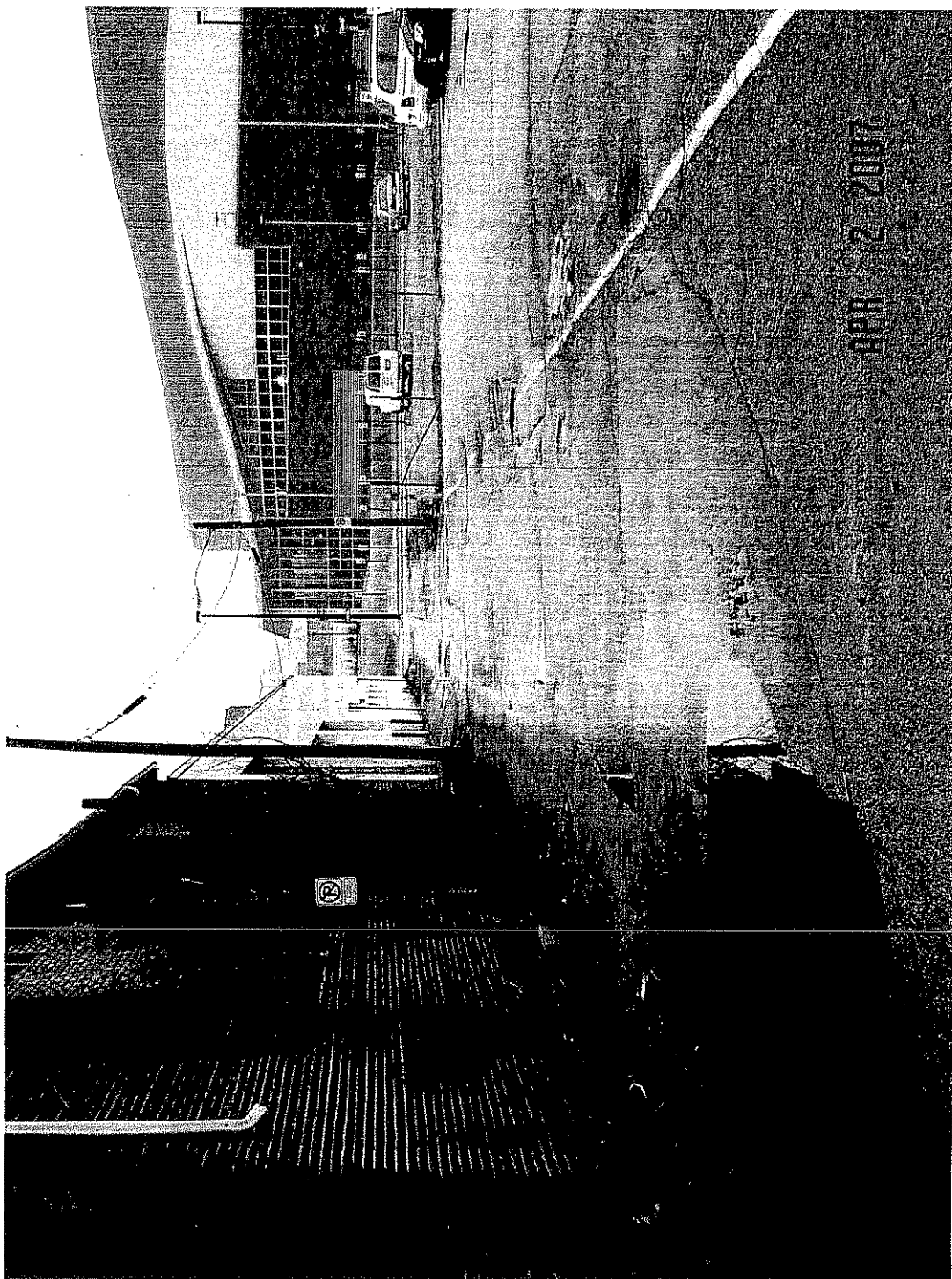
The Highway Department supports the discontinuance of **Elm East Back Street- Harry Theo Drive** subject to a reservation of a utility easement and provided all the abutters are in favor of the discontinuance.

Sincerely,

A handwritten signature in black ink that reads "Frank Thomas". The signature is written in a cursive, slightly slanted style.

Frank Thomas, P.E.  
Public works director

MJM  
CC: file



L

*To the Honorable Board of Mayor and Aldermen of the  
City of Manchester:*

*The Undersigned respectfully represent that for the accommodation of the  
public there is occasion for discontinuing a highway.*

Beginning at a point in the northerly line of the back street known as Litchfield Lane, formerly known as Central South Back Street, said point being 140.1' west of the westerly line of Chestnut Street; thence, southerly 30.0' to the southerly line of Litchfield Lane; thence, westerly 225.2' by the southerly line of Litchfield Lane; thence, northerly 30.0' to a point in the northerly line of Litchfield Lane, said point being 75.1' east of the east line of Elm East Back Street. Thence, easterly 250.2' by the northerly line of Litchfield Lane to the point of beginning.

Excepting and reserving a utility easement to the City of Manchester over the area described for all existing and future utility lines and pipes deemed necessary.

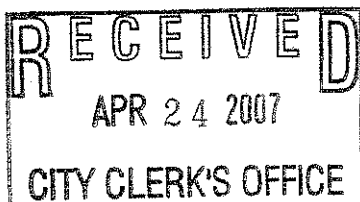
The back street was laid out as a 20' wide street by the Board of Mayor and Aldermen on August 25, 1852 and the action recorded in Highways, Streets and Bridges Book 1, Page 63 at the Office of the City Clerk. The street was then widened to 30' by plan entitled "Disposition Map Spruce Street Project, Manchester Housing Authority" dated April 20, 1960. The 10' strip was taken from the parcels on the southerly side of the street. No formal acceptance of that widening dedication was found.

He, therefore, requests you to discontinue the above-described portion of Litchfield Lane.

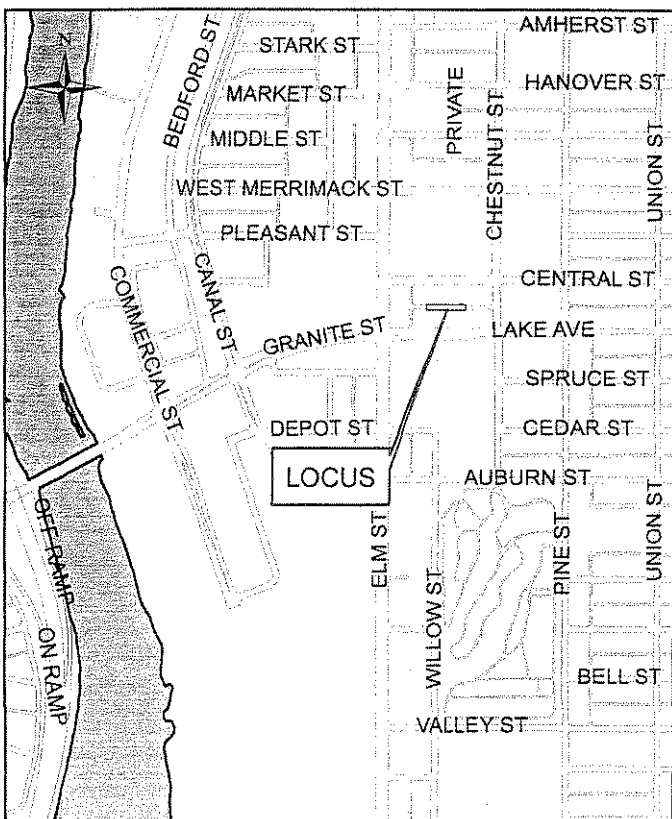
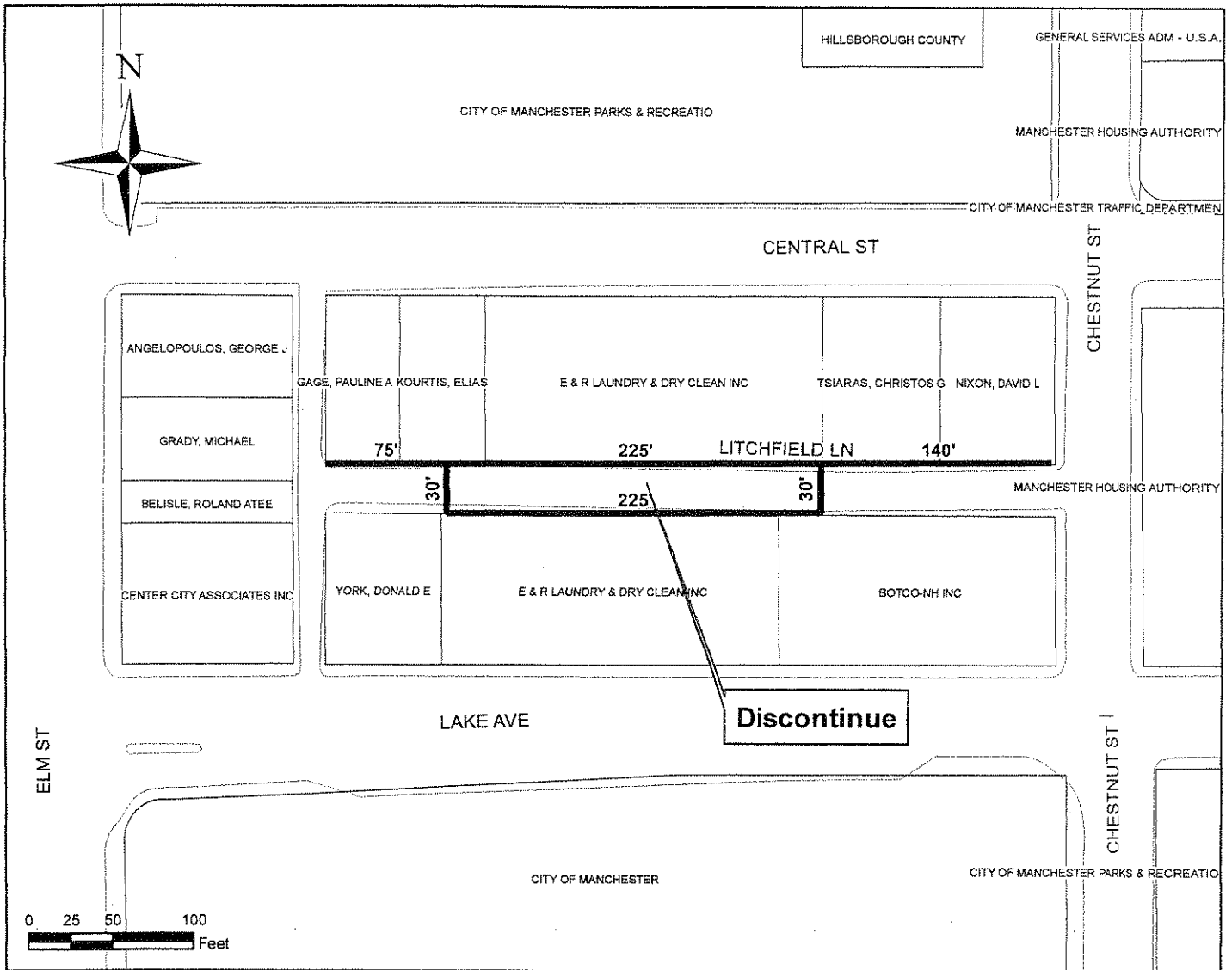
Dated at the City of Manchester, New Hampshire this 24 day of April 2007.

By: 

RICHARD BOTNICK, TREAS.  
BOTNICK 5 VENTURES, INC.



L



Proposed Street Discontinuance

**Litchfield Lane**



Manchester, NH

April 20, 2007



**City of Manchester  
Department of Highways**

227 Maple Street  
Manchester, New Hampshire 03103-5596  
(603) 624-6444 Fax # (603) 624-6487

**Commission**

Edward J. Beleski  
- Chairman  
Joan Flurey  
William F. Houghton Jr.  
Robert R. Rivard  
William A. Varkas

Frank C. Thomas, P.E.  
Public Works Director

Kevin A. Sheppard, P.E.  
Deputy Public Works Director

April 27, 2007

Community Improvement Committee of the Board of Mayor and Aldermen  
c/o Leo R. Bernier, City Clerk  
One City Hall Plaza  
Manchester, New Hampshire 03101

**RE: PETITION TO DISCONTINUE TWO UNNAMED STREETS**

Dear Committee:

We have reviewed the referenced item and have found the following:

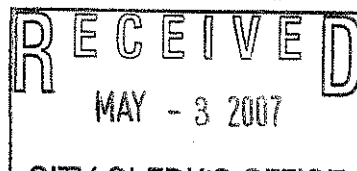
- This portion of Litchfield Lane appears to have been originally laid out by the Amoskeag Company as a 20' back street and accepted by the City August 25, 1852 and recorded in Highways Streets and Bridges book 1 page 63.
- An unrecorded plan referenced in the deeds in this area was located at the office of Manchester Housing Authority. The plan is entitled "Disposition Map Spruce Street Project, Manchester Housing Authority" and dated April 20, 1960. The plan shows the back street widened to 30' with the 10' taken from the parcels on the south side of the back street
- There are sewers of record within this portion of Litchfield Lane.

The Highway Department supports these petitions for discontinuance if an easement is reserved across the former back street for existing and future utilities.

Sincerely,

Frank Thomas, P.E.  
Public Works Director

MJM  
cc: File



**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the City approve a loan of \$500,000 for the Stella Arms Workforce Housing Project earmarking funds in the FY08 CIP Housing Initiatives Program.

*(Unanimous vote)*

Respectfully submitted,



Clerk of Committee



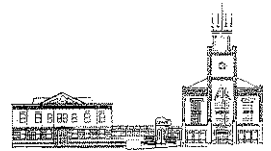


Robert S. MacKenzie, AICP  
Director

# CITY OF MANCHESTER


## Planning and Community Development

Planning  
Community Improvement Program  
Growth Management



Staff to:  
Planning Board  
Heritage Commission  
Millyard Design Review Committee

Memo to: Committee on CIP

From: Robert S. MacKenzie 

Date: April 30, 2007, 2007

Subject: Karatzas Avenue (Stella Arms) Housing Project

At a previous Committee Meeting Staff were directed to review potential funding in the amount of \$500,000 for the Karatzas Avenue Housing Project. There is presently proposed as part of the 2008 CIP, a Housing Initiatives Project to be funded with a combination of CDBG, HOME and Affordable Housing Trust Funds that would be an appropriate source to use for this project. Should the Committee wish to recommend utilizing these funds Staff respectfully request that the funds be allocated in the form of a performing loan and not as a deferred loan or grant. The provision of assistance to this project in the form of a loan has been discussed with the developers of Stella Arms and they have indicated their ability to repay these funds as proposed.



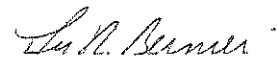
One City Hall Plaza, Manchester, New Hampshire 03101  
Phone: (603) 624-6450 Fax: (603) 624-6529  
E-mail: [planning@ManchesterNH.gov](mailto:planning@ManchesterNH.gov)  
[www.ManchesterNH.gov](http://www.ManchesterNH.gov)

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Community Improvement respectfully advises, after due and careful consideration, that it has requested staff to prepare documents to provide that the City agree to extend the term on the 2<sup>nd</sup> mortgage relating to Lowell Terrace Associates property located at the northwest corner of Lowell and Chestnut Streets to coincide with the expiration of the existing first mortgage in 2013.

*(Unanimous vote)*

Respectfully submitted,



Clerk of Committee





8-12-06 Tabled  
10-23-06 Remained  
Tabled



**City of Manchester  
Department of Finance**

One City Hall Plaza  
Manchester, New Hampshire 03101  
Phone: (603) 624-6460  
Fax: (603) 624-6549

August 9, 2006

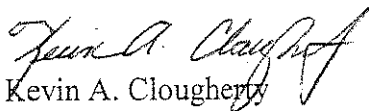
Alderman Michael Garrity  
C/O Mr. Leo Bernier  
City Clerk  
One City Hall Plaza  
Manchester, NH 03101

Dear Alderman Garrity,

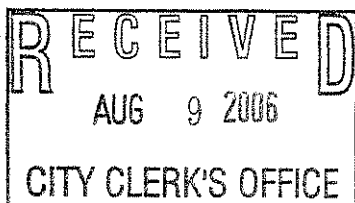
Attached is a copy of correspondence from Lowell Terrace Associates proposing a mortgage/debt consolidation for the property on the northwest corner of Lowell and Chestnut Streets. This is the item that I spoke to you about last week. With your permission, I would like to have the item discussed at the next CIP Committee meeting.

The proposal from the partnership has already been reviewed by the City Solicitor, Economic Development Director, and the Mayor's Office. Please feel free to contact me with any questions.

Sincerely,

  
Kevin A. Clougherty  
Finance Officer

C: Thomas Clark  
Paul Borek  
Randy Sherman  
Mayor Frank Guinta  
Ken Edwards, MHRA  
Peter Morgan, Property Services  
Tom Musgrave, William Steele Associates



W

WILLIAM STEELE & ASSOCIATES, P.C.

CERTIFIED PUBLIC ACCOUNTANTS

40 STARK STREET

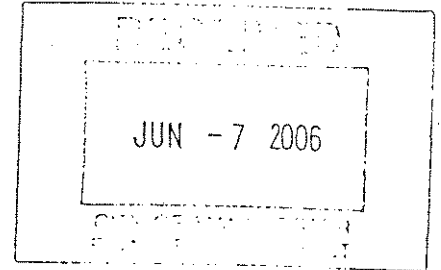
MANCHESTER, NEW HAMPSHIRE 03101

OFFICE 603-622-8881

FAX 603-647-4520

June 6, 2006

Mr. Kevin Clougherty, Finance Director  
City of Manchester  
One City Hall Plaza East  
Manchester, NH 03101



RE: Lowell Terrace Associates

Dear Kevin:

Thank you for arranging the meeting on May 4, 2006. The meeting and subsequent telephone call the week of the 22<sup>nd</sup> was helpful. I believe we have reached some meaningful preliminary agreements concerning the terms of the original Promissory Note (Note) and subsequent amendment and modifications that will allow us to resolve the remaining issues to our mutual satisfaction.

Based on our discussions, it is my understanding that Lowell Terrace Associates (LTA) and the Manchester Housing Authority (City) agree on the following.

First, the \$1,250,000 portion of the Note is not due at this time. LTA and the City agree that the 1994 Promissory Note Amendment and subsequent modifications have extended the due date of the \$1,250,000 portion of the Note to July 1, 2013. The principal balance outstanding on this portion of the loan was \$559,811 as of December 31, 2005. Based on continuing monthly payments of \$6,885.71, this portion of the loan will be paid in full on July 1, 2013.

Second, the \$250,000 portion of the Note is due. As you know, this \$250,000 portion of the original loan has all of the characteristics of a fifty percent (50%) equity interest in the partnership. These characteristics will be described in more detail in the paragraphs that follow. The City has asked LTA to make a proposal concerning the amount of the pay off.

LTA is prepared to make the City an offer to settle the \$250,000 portion of the original loan and, once the City has reviewed and accepted the proposal, LTA will immediately seek replacement financing to pay off the City.

The original Note terms relating to the \$250,000 portion of the loan have all of the characteristics of a 50% equity interest in the partnership. Section 4 of the Note contains these provisions.

Section 4.a) of the Note describes LTA's obligation to pay interest to the City equal to 50% of the project's cash flow. In this regard, whenever LTA has made cash distributions of accumulated cash flow to its partners, a corresponding and equal cash payment has been made to the City. In connection with its settlement proposal, LTA is prepared to pay to the City 50% of the cash in its accounts, excluding cash held by LTA representing tenant deposits.

N

Mr. Kevin Clougherty, Finance Director  
June 6, 2006  
Page 2

Section 4.b) of the Note describes LTA's obligation on the twentieth anniversary date of the loan. There has been some disagreement and or misunderstanding concerning this particular provision of the loan. The City, as I understand it, feels that it would be inappropriate to reduce its entitlement under Section 4.b) of the Note by the balance outstanding on the \$1,250,000 portion of the loan. LTA maintains that the balance outstanding on the \$1,250,000 portion of the loan must be taken into account when calculating the City's entitlement. If the outstanding balance on the \$1,250,000 portion of the loan were not taken into account, the City would receive a payment exceeding the value of its 50% equity interest in the project.

Neither party expected an outstanding balance on the \$1,250,000 portion of the loan when the balloon payment due date provision for the \$250,000 portion of the loan was drafted in 1984. However, due to economic circumstances beyond the control of LTA and the City, the project was not able to service its debt and fell behind on its property taxes. Rather than assert its rights as a lien holder entitled to the delinquent property taxes, or assert its rights as the holder of the Note (which was headed into default), the City agreed to certain modifications of the Note in lieu of initiating action to take possession of the partnership's property. I submit to you that the City's actions were well reasoned and were motivated, in principal part, by the desire to protect its right to repayment of the entire outstanding balance of the loan (a balance exceeding \$1,217,000 at the time). It is not inconceivable that the City could have lost hundreds of thousands of dollars had it chosen to take possession of the property in 1994. Instead, the City acted in a manner that was both prudent and in its best interests as a lender and owner of 50% of the partnership equity. The City's actions also allowed the partners of LTA an opportunity to salvage their own 50% equity interest.

In LTA's opinion, the City's balloon payment entitlement on the \$250,000 portion of the original Note must take into account the balance outstanding on the \$1,250,000 portion of the Note. If the City's entitlement were calculated in any other manner, it would contradict the business deal between LTA and the City wherein the City was awarded a 50% equity interest in the project for its \$250,000 loan.

LTA's proposal to pay off the \$250,000 portion of the loan has been determined by treating the City as a 50% equity owner in the partnership. More specifically, the attached calculations estimate the City's balloon payment entitlement under Section 4.b) of the Note by projecting the net cash proceeds available to the partnership assuming a hypothetical sale of the property on August 1, 2006, followed by a distribution of the partnership's net assets in liquidation of the partnership.

The following assumptions are integral parts of the attached calculations.

1. The market value of the property is equal to its assessed value of \$1,255,800.
2. The outstanding principal balance on the \$1,250,000 portion of the loan is \$515,536 on August 1, 2006.



Mr. Kevin Clougherty, Finance Director  
June 6, 2006  
Page 3

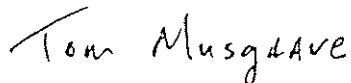
3. A 4% commission would be paid to a third-party broker to facilitate the sale.
4. A New Hampshire real estate transfer tax equal to .75% of the market value would be payable.
5. A New Hampshire Business Profits Tax equal to 8.5% of the gain recognized on sale would be payable.
6. There will be approximately \$150,000 of cash or marketable securities in the partnership's accounts on August 1, 2006.

Based upon the assumptions listed above, LTA estimates the City's entitlement on the \$250,000 portion of the original loan to be \$367,065.

After you have had an opportunity to review this proposal and discuss it with other interested parties, please call me and let me know how you would like to proceed.

Very truly yours,

WILLIAM STEELE & ASSOCIATES, P.C.



Thomas W. Musgrave, CPA

Enclosure

cc: Richard W. Hale w/enclosure  
Peter A. Morgan w/enclosure



LOWELL TERRACE ASSOCIATES  
HYPOTHETICAL SALE AND LIQUIDATION ANALYSIS  
AS OF AUGUST 1, 2006

PROJECTED CASH AVAILABLE UPON LIQUIDATION

Estimated Cash and Value of Marketable Securities	150,000
Net Sale Proceeds - See Below	<u>1,196,150</u>
Estimated Cash Balance and Marketable Securities Value	1,346,150
Projected NH Business Profits Tax	(96,484)
Payoff Balance on \$1,250,000 Portion of Loan	<u>(515,536)</u>
Net Cash Available for Distribution	734,129
City's Equity Interest	<u>50.0%</u>
City's Equity Entitlement	<u><u>367,065</u></u>

HYPOTHETICAL SALE OF PROPERTY

Gross Sale Proceeds	1,255,800	Based on Assessed Value
Third-Party Commission @ 4%	(50,232)	
Real Estate Transfer Tax	<u>(9,419)</u>	.75% x 1,255,800
Net Sale Proceeds	1,196,150	
Adjusted Tax Basis of Property	<u>(61,040)</u>	
Projected Gain on Sale of Property	1,135,110	
NH Business Profits Tax Rate	<u>8.5%</u>	
Projected NH Business Profits Tax	<u><u>96,484</u></u>	

*N*

May 3, 2007

Mr. Randy Sherman  
Assistant Finance Director  
Finance Department  
One City Hall Plaza East  
Manchester, NH 03101

**Re: Lowell Terrace Associates**

Dear Randy:

It was good to meet with you and the other key City department heads on Monday, April 30<sup>th</sup> in preparation of the Community Improvement Plan (CIP) Committee meeting scheduled for May 8<sup>th</sup>. I have again reviewed Tom Musgrave's letter of June 6, 2006, which outlines the history of this project and our proposal last summer.

We now have two (2) major concerns:

1. The treatment of the existing balance of the City's 1<sup>st</sup> mortgage in determining the equity in the project.
2. The current market value of the building. We are contesting the 2006 revaluation.

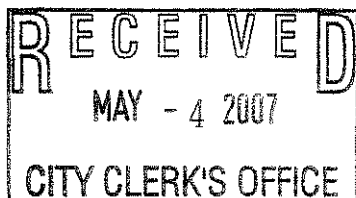
We were and are partners in saving a significant building in Manchester. We have worked closely together for over twenty-three (23) years in restoring and subsequently operating the property through good times and bad. We need to look at the deal itself and move forward to clarify the standing and term of the 2<sup>nd</sup> mortgage piece of our arrangement. There are only two (2) issues.

I look forward to meeting with the Committee on May 8<sup>th</sup>.

Sincerely yours,

*Peter A. Morgan*

Peter A. Morgan  
Managing Partner  
Lowell Terrace Associates



### Suggested Ways Forward

1. City agrees to extend term on 2<sup>nd</sup> mortgage to July 1, 2013, concurrent with the extension of the existing 1<sup>st</sup> mortgage.
2. City demands payment of the 2<sup>nd</sup> mortgage valued at one-half (1/2) the fair market value of the building without consideration that the 1<sup>st</sup> mortgage is still in place. (Current balance of 1<sup>st</sup> mortgage as of April 30, 2007 is \$470,367.12.)
  - a. The loan will fall into default as the Lowell Terrace partners do not concur on the method of valuing the 2<sup>nd</sup> mortgage.
  - b. The default provisions in the original note clearly provide the method of valuing the 2<sup>nd</sup> mortgage in the event of a default. The remaining balance of the 1<sup>st</sup> mortgage is deducted from the fair market value to establish the value to be paid to retire the 2<sup>nd</sup> mortgage.
3. City agrees that the existing balance of the 1<sup>st</sup> mortgage affects the current value of the 2<sup>nd</sup> mortgage.
  - a. We jointly agree to establish the current fair market value of the property.
  - b. The Lowell Terrace partners will proceed to arrange 3<sup>rd</sup> party financing and within ninety (90) days of 3.a. will pay off the 2<sup>nd</sup> mortgage.



**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Joint School Buildings respectfully advises, after due and careful consideration, that it has accepted the monthly report for April 2007 as submitted by DMJM, and is forwarding same to the Board for informational purposes.

*(Unanimous vote with the exception of School Committee Member Herbert who was absent.)*

Respectfully submitted,



Clerk of Committee







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## Monthly Report – May 2007

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City of Manchester  
Joint School Building Committee Meeting: May 1, 2007  
School Facilities Improvement Project

### 1.0 Budget:

- Budget overview summary attached.

### 2.0 Schedule:

- Project schedule overview attached.

### Activity Summary:

Construction activity continues to be executed primarily on night-shift hours, with the exception of some work that has been performed over the weekend and April school vacation week to avoid disruption to school staff and students. Central High School, Memorial High School classroom addition, Southside Middle School and Hillside Middle School classroom additions are all in full use by students and faculty and continue to have ongoing punchlist activities and miscellaneous work (and some rework) performed. Most schools have undergone a majority of the punchlist process with miscellaneous isolated interior spaces and exterior (roof, exterior, etc.) remaining. Contractors continue to work on addressing and closing out some scope items and miscellaneous punchlist items. The Design-Builder and associated contractors also continue to work on more global Program-Wide items such as HVAC system noise mitigation issues (including sound attenuation installation and duct reconfiguration), non-compliant exterior duct replacement and door hardware issues.

### 3.0 Previous Months' Progress (29 March 07 – 25 April 07):

#### High Schools

- West High School
  - MEP Work Nearly Complete
  - Exterior Duct Replacement Complete
  - Punchlist
- Memorial High School
  - Interior Renovation MEP Nearly Complete
  - Sound Attenuation Installation Ongoing
  - Door Hardware Ongoing
  - Punchlist
- Central High School
  - MEP Work Nearly Complete
  - Sound Attenuation Ongoing (RTU Steel Relocation)
  - Punchlist

#### Middle Schools

- Hillside Middle School
  - Final MEP Nearly Complete
  - Door Hardware Ongoing
  - Punchlist
- Southside Middle School
  - Final MEP Nearly Complete
  - Ceiling Tile Replacement Nearly Complete
  - Ceiling Registers and Grilles Damper Installation



- Sound Attenuation Installation Ongoing
  - Door Hardware Ongoing
  - Punchlist
- Parkside Middle School
  - Exterior Roof Ductwork Replacement Ongoing
  - Punchlist

#### **Elementary Schools**

- Hallsville
  - Final MEP Nearly Complete
  - Door Installation Nearly Complete
  - Punchlist
- Bakersville Elementary School, McDonough Elementary School, Beech Street Elementary School, Wilson Elementary School, Gossler Park Elementary School, Jewett Street Elementary School, Smyth Road Elementary School, Webster Elementary School, Parker Varney Elementary School, Weston Elementary School, Highland Goffe's Falls Elementary School and Green Acres Elementary School
  - Punchlist
- Ongoing Bi-Weekly Project Status Meetings

#### **4.0 Upcoming Activities (26 April 07 – 30 May 07):**

##### **High Schools**

- West High School
  - MEP Work Completion
  - Punchlist
- Memorial High School
  - MEP Interior Renovations Continues
  - Sound Attenuation Installation Continues
  - Door Hardware Continues
  - Punchlist
- Central High School
  - MEP Work Nearing Completion
  - Sound Attenuation Ongoing
  - Punchlist

##### **Middle Schools**

- Hillside Middle School
  - Final MEP Nearing Completion
  - Ceiling Tile Replacement Completion
  - Punchlist
- Southside Middle School
  - Final MEP Nearing Completion
  - Sound Attenuation Installation Continues
  - Roof Duct Tie-down Work Continues
  - Punchlist
- Parkside Middle School
  - Punchlist



### Elementary Schools

- Hallsville
  - Door Installation Nearing Completion
  - Punchlist
- Beech Street Elementary School, Wilson Elementary School, Bakersville Elementary School, Gossler Park Elementary School, Jewett Street Elementary School, Smyth Road Elementary School, Webster Elementary School, McDonough Elementary School, Parker Varney Elementary School, Weston Elementary School, Highland Goffe's Falls Elementary School and Green Acres Elementary School
  - Punchlist

### 5.0 Critical Issues:

- Punchlisting
- Sound Attenuation Work
- Door Hardware Work

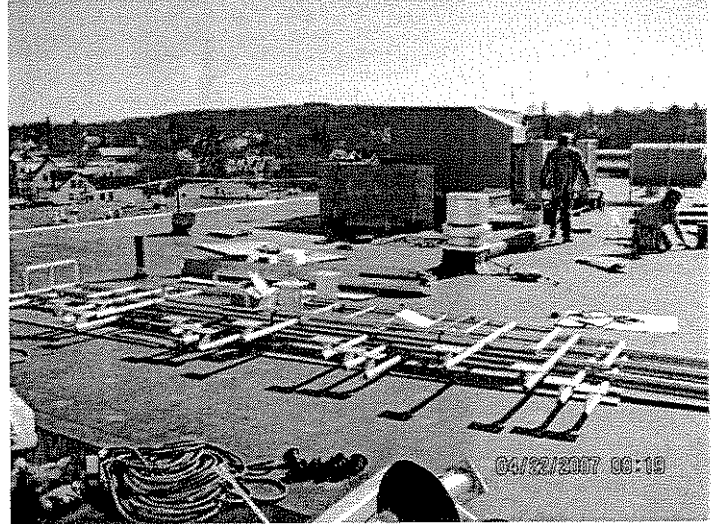
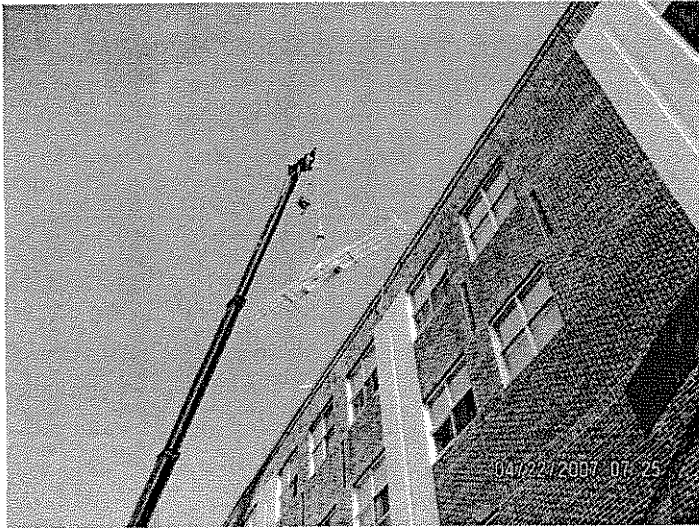
### 6.0 New Issues:



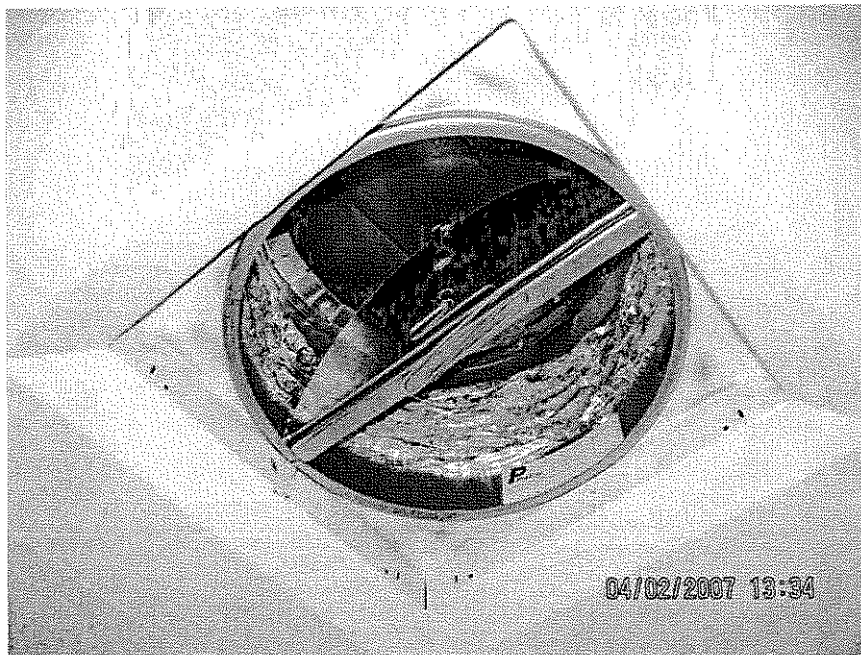
7.0 Progress Photos

Late March to Late April

Central High School – Sound Attenuation Material (Steel) for  
RTU Relocation



Southside Middle School – Fire Damper Installation in  
Ceiling Ductwork







Manchester Public  
School Facilities  
Improvement Project

DMJM

Project Office

222 South Jewett Street · Manchester, NH 03103  
T 603.644.0410 · F 603.644.0411

JOINT SCHOOL BUILDING COMMITTEE

HIGHWAY DEPARTMENT / PROJECT FINANCIAL SUMMARY REPORT

24-Apr-07

DESIGN/BUILD/FINANCE SCHOOL IMPROVEMENT PROGRAM - Project #310303

BUDGET		FUNDING	SOURCE:	Bond
		FY03 CIP	School Revenue Bond	\$101,410,000
		FY03 CIP	Gen.Obligation Bond	\$3,590,000
		FY03 CIP	Earned Interest	\$3,995,000
109,247,719		FY05	School Admin.Funding	\$252,719

AUTHORIZED VENDOR DESCRIPTION AND APPROVAL DATE	BUDGET	AMOUNT ENCUMBERED	PERCENT COMPLETE	AMOUNT EXPENDED	RETAINAGE HELD
Insurance & Legal	\$2,667,039.12	\$0.00	100%	\$2,667,039.12	
DMJM Program Management (Original + Amend.1-4)	\$4,661,740.35	\$904,419.04	81%	\$3,757,321.31	
Other Construction Expenses	\$812,010.32	\$0.00	100%	\$812,010.32	
Corrective Work by Facilities	\$9,402.04	\$2,419.79	74%	\$6,982.25	
Gilbane Construction Company					
Base Contract	\$94,900,200.00	\$5,369,378.92	94%	\$89,530,821.08	\$3,865,772.44
Change Orders 1 - 27	\$2,747,761.29	\$0.00	100%	\$2,747,761.29	\$109,910.45
Gilbane Contract To Date	\$97,647,961.29	\$5,369,378.92		\$92,278,582.37	\$3,975,682.89
Program FF&E	\$2,000,000.00				
FF&E To Date	\$1,936,078.00	\$6,078.61	99.7%	\$1,929,999.39	
Gilbane Change Orders (accounted for above)	\$63,922.00				
FF&E To Date	\$2,000,000.00	\$6,078.61		\$1,929,999.39	
Contingency	\$5,650,000.00				
Various Projects and Expenses	\$260,260.36	\$50,685.00	81%	\$209,575.36	
DMJM Program Management (accounted for above)	\$1,520,740.35				
Wiggin & Nourie, P.A. - Manchester PS GP,LLC vs City	\$201,476.78	\$0.00	100%	\$201,476.78	
OCIP Reserve Account - Liberty Mutual GL&WC Losses	\$321,000.00	\$220,942.06	31%	\$100,057.94	
Gilbane Change Orders (accounted for above)	\$2,616,437.29				
Contingency Authorized to Date	\$4,919,914.78	\$271,627.06		\$511,110.08	
Balance for Future Contingency Allocations		\$730,085.22			
PENDING Contingency Expenditures					
Pending CCA's not in Change Order Form as yet	\$25,339.98				
JSBC APPROVED CONTINGENCY BALANCE	\$730,085.22				
CONTINGENCY BALANCE LESS PENDING EXPENDITURES	\$704,745.24				
UNENCUMBERED PROJECT FUNDS	\$665.52				
ENCUMBERED/EXPENDED TOTAL	\$109,247,053.48	\$7,284,008.64		\$101,963,044.84	\$3,975,682.89
TOTAL	\$109,247,719.00				

## **Legislative Update – May 15, 2007**

The following bills are being tracked by the Mayor's Office and city departments as of **Tuesday, May 15, 2007.**

### **Bills the Mayor's Office and Board of Mayor and Aldermen SUPPORT:**

**HB 311** – establishing a committee to study the feasibility of setting liability limits for commuter rail operations (**passed House as amended; deemed OTP by Senate Judiciary**)

**SB 35** – making an appropriation for disaster relief assistance in response to the May 2006 floods and establishing a committee to study the distribution of financial disaster assistance (wrote letter in support) (**passed Senate; introduced and referred to House Finance**)

**SB 75** – relative to establishing a south central New Hampshire rail transit authority that will have responsibility for developing and providing commuter rail and related public rail transportation services in New Hampshire (**passed Senate as amended; introduced and referred to House Transportation**)

### **Bills the Mayor's Office and Board of Mayor and Aldermen OPPOSE:**

**HB 143** – relative to the apportionment of damages in civil actions (**passed House; introduced and referred to Senate Judiciary**) (also opposed by City Solicitor and Risk Manager)

### **Bills the Mayor's Office is TRACKING:**

**HB 319** – relative to wetlands mitigation (**passed House as amended; introduced and referred to Senate Energy, Environment and Economic Development**)

**SB 88** – relative to public employee terms of employment, bargaining units, and dispute resolution (**passed Senate 17-7; introduced and referred to Labor, Industrial and Rehabilitative Services**)

**SB 176** – relative to lead paint poisoning and establishing a commission to study the current childhood lead poisoning prevention law, policies, and standards (**passed Senate 16-8; introduced and referred to House Health, Human Services and Elderly Affairs**)

### **DEPARTMENT HEADS SUPPORT**

**SB 54** – allowing municipalities to increase dog licensing fees (**passed Senate w/Amendment; deemed ITL (8-5) by House Public and Municipal Affairs – minority report filed**)

**SB 118** – increasing fines for certain dog violations (**passed Senate w/Amendment; deemed OTP/as amended by Senate Public and Municipal Affairs**)

### **Economic Development Office**

**SB 137** – removing the prospective repeal of community reinvestment and opportunity zones (CROP zones) (**passed Senate; deemed OTP by House Commerce Committee**)

### **Health Department**

**HB 137** – relative to food safety in restaurants council (**passed House as amended; introduced and referred to Senate Commerce, Labor and Consumer Protection**)

**HB 491** – establishing the public health improvement services council (**passed House as amended; introduced and referred to Senate Health and Human Services**)

**HB 688** – establishing the council on the relationship between public health and the environment (**passed House as amended; introduced and referred to Senate Health and Human Services**)

**SB 42** – prohibiting smoking in restaurants, cocktail lounges, and certain enclosed public places (**passed Senate; introduced and referred to House Commerce Committee**)

**SB 176** – relative to lead paint poisoning and establishing a commission to study the current childhood lead poisoning prevention law, policies, and standards (**passed Senate 16-8; introduced and referred to House Health, Human Services and Elderly Affairs**)

#### **Housing Department**

**SB 247** – establishing a committee to study the adjudication of land use issues and ordinance violations (tom Arnold testified) (**passed Senate; deemed ITL by House Municipal and County Government**)

#### **Information Systems**

**HB 629** – relative to authorizing continued membership in the Manchester employees' contributory retirement system, and relative to the Nashua public works retirement system (Jennie Angell testified) (**passed House as amended; deemed OTP by Senate Executive Departments and Administration**)

#### **Manchester Water Works**

**HB 383** – relative to waterfront buffer and woodland buffer requirements in the comprehensive shoreland protection act (**passed House as amended; introduced and referred to Senate Energy, Environment and Economic Development**)

#### **Tax Collector's Office**

**HB 448** – relative to early renewals of vehicle registrations (**passed House as amended; introduced and referred to Senate Transportation and Interstate Cooperation**)

#### **DEPARTMENT HEADS OPPOSE**

##### **City Clerk's Office**

**HB 243** – relative to a rabies immunization exemption (**passed House as amended; deemed OTP by Senate Energy, Environment and Economic Development**)

**SB 98** – relative to determining qualifications of voters (**passed Senate; introduced and referred to Election Law**)

##### **Human Resources**

**SB 183** – requiring health insurance plans for family coverage to extend to dependent under age 26 (Virginia Lamberton will testify) (**passed Senate 13-10; introduced and referred to House Election Law**)

##### **Risk Manager and City Solicitor**

**HB 143** – relative to the apportionment of damages in civil actions (**passed House; introduced and referred to Senate Judiciary**) (also opposed by Mayor)



**HB 882** – relative to limitations on tort liability of government units (**passed House as amended 220-118; introduced and referred to Senate Judiciary**)

**Tax Collector**

**HB 803** – relative to the sale of tax-deeded property (**passed House as amended; introduced and referred to Senate Public and Municipal Affairs**)

**DEPARTMENT HEADS TRACKING**

**Environmental Protection**

**HB 699** – establishing a commission to study methods and costs of sewage, sludge, and septage disposal (**passed House as amended; introduced and referred to Senate Energy, Environment and Economic Development**)

**HB 812** – relative to making permanent certain exceptions to limits on land application of septage and sludge (**passed House as amended; introduced and referred to Senate Energy, Environment and Economic Development**)

**Finance**

**SB 206** – relative to court review of certain planning and zoning decisions (**passed Senate; introduced and referred to House Municipal and County Government**)

**Fire Department**

**HB 139** – relative to the reporting of burn injuries (**passed House as amended; deemed ITL by Senate Health and Human Services**)

**Manchester Water Works**

**HB 152** – relative to public access to meeting minutes (**passed House as amended; deemed OTP by Senate Public and Municipal Affairs**)

**HB 252** – relative to exemptions from the permitting process for excavating and dredging (**passed House as amended; introduced and referred to Senate Energy, Environment and Economic Development**)

**HB 393** – relative to information filed by utilities paying the utility property tax (**passed House; introduced and referred to Senate Energy, Environment and Economic Development**)

**HB 457** – allowing municipalities to restrict lawn watering during declared droughts (**passed House as amended – 187-131; introduced and referred to Senate Public and Municipal Affairs**)

**HB 460** – relative to conservation restrictions to protect public water supplies (**passed House as amended; introduced and referred to Senate Energy, Environment and Economic Development**)

**HB 648** – establishing a commission to develop a comprehensive flood management plan (**passed House as amended; introduced and referred to Senate Energy, Environment and Economic Development**)

**HB 663** relative to the protected shoreland permitting process and establishing and funding positions within the department of environmental services (**passed House as amended; introduced and referred to Senate Energy, Environment and Economic Development**)

**HB 664** – relative to annual dam registration and permit application fees (**passed House; Passed House as amended; introduced and referred to Senate Energy, Environment and Economic Development**)

**The following bills have passed into law:**

**HB 89** – establishing a committee to study dispute resolution between local political subdivisions and public employees in New Hampshire (**tracked by Mayor's Office**)

**HB 120** – relative to extending polling (**tracked by City Clerk's Office**)

**HB 133** – relative to voter registration forms (**tracked by City Clerk's Office**)

**HB 152** – relative to public access to meeting minutes (**supported by City Clerk's Office**)

**HB 155** – relative to membership of the state building code review board hours (**tracked by Fire Department**)

**SB 37** – relative to accidental death benefit payments in the city of Manchester employees' contributory retirement system (**supported by Board of Mayor and Aldermen**)

**The following bills have been tabled:**

**HB 92** – decriminalizing marijuana (**opposed by Mayor's Office**)

**HB 234** – establishing a committee to study state environmental laboratory fees and services fund (**tracked by Water Works**)

**SB 96** – extending the veterans' property tax credit to all honorably discharged veterans (**tracked by Assessor's Office**)

**SB 181** – adding a fee to motor vehicle fines for use by municipalities (**supported by Police Department**)

**The following bills have been retained in committee:**

**HB 76** – creating an environmental policy for NH (**tracked by Water Works**)

**HB 201** – relative to recycling and reconstituting the recycling market development steering committee (**opposed by Mayor's Office and Highway Department**)

**HB 283** – allocating a portion of unrefunded road tolls to the dam maintenance fund (**tracked by Water Works**)

**HB 315** – relative to criminal background checks of municipal employees through the New Hampshire State Police (**Retained in Committee**)

**HB 331** – relative to the withholding of building permits in certain cases (**Retained in Committee**)

**HB 404** – prohibiting state and local law enforcement agencies from enforcing federal immigration laws (**opposed by Mayor's Office**)

**HB 503** – relative to establishing a solid waste management fund and assessing a surcharge for the disposal of solid waste (**opposed by Mayor's Office and Highway Department**)

**HB 540** – relative to solid waste reduction, establishing a solid waste disposal fee, and renaming the recycling market development steering committee (**opposed by Mayor's Office and Highway Department**)

**HB 717** – allowing municipalities to establish local community services and care planning boards (**supported by Senior Services**)

**HB 893** – relative to long-term care (**supported by Senior Services**)

**HB 912** – establishing the New Hampshire homestead plan (**tracked by Mayor's Office**)

**HB 925** – relative to state and local taxes (**opposed by Mayor's Office**)

**SB 85** – relative to eligibility for the property tax exemption for the disabled (**supported by the Assessor's Office**)

**The following bills have been rereferred:**

**SB 158** – relative to review of activities affecting surface waters (**tracked by Manchester Water Works**)

**SB 257** – relative to penalties for life safety code violations under municipal housing standards (Leon LaFreniere testified) (**supported by Housing**)

**The following bills have been killed:**

**HB 70** – Including nonresident property owners who are veterans and at least 65 years of age in the persons qualified to receive the veterans property tax credit (**tracked by Assessor's Office**)

**HB 82** – relative to communications outside meetings under the right-to-know law (**tracked by Manchester Water Works**)

**HB 123** – relative to the time required between mandatory shifts or other work periods exemption (**supported by Highway Department**)

**HB 136** – relative to approval of voting machines (**tracked by City Clerk's Office**)

**HB 141** – giving voters the option of bypassing voting (**opposed by City Clerk's Office**)

**HB 192** – requiring vote counting by election officials at polling places using vote counting machines (**opposed by City Clerk's Office**)

**HB 196** – relative to changes of party registration on primary day (**tracked by City Clerk's Office**)

**HB 258** – making an appropriation to the department of safety, bureau of emergency management, to fund a grant to the town of Goffstown for installation of sewer and water systems in areas damaged by flooding in May 2006 (**supported by Water Works**)

**HB 262** – allowing municipalities to exclude certain retirement assets from consideration in qualifying for the elderly property tax exemption (**tracked by Assessor's Office**)

**HB 321** – relative to river protection and restoration (**tracked by Mayor's Office and Water Works**)

**HB 340** – restricting sex offenders from residing within a certain distance from schools and child-oriented organizations (**supported by Mayor's Office**)

**HB 341** – establishing a study committee to review current laws and rules enforced by the liquor commission (**tracked by Mayor's Office**)

**HB 346** – establishing a defined contribution retirement option in the New Hampshire retirement system (**tracked by Mayor's Office**)

**HB 354** – establishing a committee to study the feasibility of establishing ecological consumption taxes as a source of revenue for the state machines (**tracked by Manchester Water Works**)

**HB 356** – relative to requiring a comprehensive impact report before a municipality approves or disapproves a proposed development project (**tracked by Manchester Water Works**)

**HB 376** – distributing certain meals and rooms tax revenues to the fish and game fund (**opposed by Mayor's Office**)

**HB 384** – relative to repealing the authority of the department of environmental services regarding sludge and biosolids and establishing a committee to study new sludge legislation (**tracked by tracked by Mayor's Office and Environmental Protection**)

**HB 414** – relative to the sale of class A sludge in bulk agricultural fertilizer bags (**tracked by Environmental Protection**)

**HB 465** – relative to marking ballots cast at elections (**tracked by City Clerk's Office**)

**HB 557** – relative to free parking in designated handicapped zones (**tracked by Parking**)

**HB 565** – prohibiting use of leghold and conibear traps (**tracked by Manchester Water Works**)

**HB 732** – changing the interest rate on late and delinquent property tax payments and subsequent tax payments (**opposed by Tax Collector**)

**HB 836** – prohibiting wastewater treatment plants from excluding towns for septage treatment and disposal services (**tracked by Environmental Protection**)

**HB 896** – relative to authority to waive interest on late paid property tax bills (**tracked by Tax Collector**)

**HB 899** – assessing a fee on water withdrawn for sale or resale from water supply sources in the state (**tracked by Manchester Water Works**)

**SB 198** – requiring milfoil stickers for out-of-state boats (**tracked by Manchester Water Works**)

**SB 256** – relative to penalties for life safety code violations under municipal housing standards (**supported by Housing Department**)



# City of Manchester

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Office of the Mayor  
Hon. Frank C. Guinta

May 7, 2007

The Honorable Board of Aldermen  
One City Hall Plaza  
Manchester, NH 03101

Re: FY2007 Spending Freeze

Dear Members of the Board:

As we approach the end the fiscal year and anticipate the next one, it is both prudent and imperative that the Board of Mayor & Aldermen consider instituting a spending freeze effective immediately, in order to realize sufficient savings in the current budget. Prudent because we are expected to spend the taxpayers dollars wisely. Imperative because this step may very well be necessary if we are to achieve a fund balance of \$750,000 in FY2008.

I have worked with Finance Officer William Sanders to develop a proposal for your consideration. I am recommending that effective immediately the following measures be implemented:

1. All departments are directed to reduce discretionary spending. Specifically we direct departments to only spend what is necessary to continue efficient operations.
2. All purchases of \$2,500 or greater must be submitted to the Finance Officer for review. If the Finance Officer believes that the expenditure is necessary for effective operations, he shall approve the expenditure. If he deems the expenditure unnecessary, he shall send the request to the Mayor for his review. In all cases, the department shall receive an answer within forty-eight business hours of making the request of the Finance Officer.
3. Planned overtime shall be submitted to the Finance Officer for his review and approval. If the Finance Officer does not approve the overtime, the request will go the Mayor for his review. Again, the department shall receive an

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answer within forty-eight business hours of making the request of the Finance Officer.

I want to reiterate to the Board the necessity of these steps. I believe that these measures will make government more efficient and less wasteful, and will help us achieve our budgetary goals.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank C. Guinta". The signature is fluid and cursive, with a long horizontal stroke at the end.

Frank C. Guinta  
Mayor

C: Department Heads



# City of Manchester

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Office of the Mayor  
Hon. Frank C. Guinta

May 10, 2007

The Honorable Board of Aldermen  
One City Hall Plaza  
Manchester, NH 03101

Re: Police Department Operations

Dear Members of the Board:

With the passage of the FY2008 budget this past week, now is a good time to talk about upcoming public safety priorities and the ways in which this Board can better support our Police Department. Through initiatives put forward by this office and supported by the Board of Aldermen, we will soon have two hundred twenty five sworn officers on the streets of Manchester, an increase of twenty officers in three short years. These numbers will make a significant difference in our public safety campaign.

I am gratified by the Board's support of the activities of the Police Department, most notably the program known as Operation Street Sweeper. The FY2008 budget will allow us to continue the activities of this program which will bring about tangible results in the coming months.

There remains however some unfinished business which the Board should take action on immediately.

1. Immediate initiation of DAG operations: Our Police Department is substantially behind schedule in beginning these operations. This is due to uncertainty of funding. I propose that the Board use contingency monies to allow the Police Department to begin operations immediately.
2. Further Federal Funds: I am informed by Senator John Sununu that some federal funds could potentially make it to Manchester in the coming weeks. Although we cannot count on these funds, we should be prepared to appropriate them swiftly to fight crime. I am therefore asking Chief Jaskolka to prepare a contingency funding plan to be enacted when and if new funds arrive, and I hope this plan will have the full support of the Board.

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3. Future of Operation Street Sweeper: As you are aware, I have initiated discussions with our congressional delegation and have personally talked with Senators Gregg and Sununu about restoring the funding for Operation Street Sweeper. It is their hope to fund this worthy program in the next federal budget. I have also reached out to both Carol Shea-Porter and Paul Hodes on this issue.

We as a city remain adamant that Street Sweeper was, is and should continue to be a federally funded program. As your Mayor, I will continue my efforts to restore this funding.

I have said it before and I will say it again, public safety is a non-partisan issue that we all care about. I extend the full cooperation of my office to the Board of Aldermen and hope to work collaboratively with you to make Manchester a safer place.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank C. Guinta". The signature is fluid and cursive, with a long horizontal stroke at the end.

Frank C. Guinta  
Mayor

C: John Jaskolka, Chief of Police

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**Manchester-Boston**  
REGIONAL AIRPORT

**Kevin A. Dillon, A.A.E.**  
Airport Director

One Airport Road  
Suite 300  
Manchester, NH  
03103-3395  
Tel: 603-624-6539  
Fax: 603-666-4101  
[www.flymanchester.com](http://www.flymanchester.com)

May 7, 2007

The City of Manchester  
Board of Mayor & Aldermen  
One City Hall Plaza  
Manchester, NH 03101

Re: Purchase of Property and Compensation of Damages

To The Honorable Board:

As you know, the Airport is moving ahead with a construction project to extend the safety areas of runway 6-24. The expanded safety areas are necessary to comply with federal regulations. To provide the necessary land for the project, the Airport has purchased three (3) parcels along South Willow Street adjacent to the east end of runway 6-24. To complete the necessary acquisition and rights for construction, the Airport needs to purchase partial portions of two parcels, acquire a construction easement and pay for the diminution of value related to the impact of the road realignment on an owner's business.

On this basis, the Airport proposes to pay Advantage Gases & Tools \$275,000 (i.e. Tax Map 851 Lot 1A) as compensation for the impact of the new road alignment on the operation of the owner's business. The compensation anticipates the swap of land that provides the Airport necessary property for the road realignment and mitigation and offers the owner additional property for parking and operations.

Lastly, the revised alignment drives the need to acquire a small sliver of property and a construction easement from Eastern Bearings. The portion of the parcel to be acquired (Tax Map 851 Lot 7) measures approximately 0.05 acres (i.e. 2,130 SF) and is appraised at \$10,157. The construction easement is comprised of 0.04 acres (i.e. 1,632 SF) and is appraised at \$462.

The relative location of the conveyances and the construction easement to the end of the runway and to South Willow Street is reflected in the attachment. As you may realize, 75% of the acquisition cost is funded by the federal government.

Therefore, I respectfully request that the Manchester Board of Mayor & Aldermen authorize the Airport Director to negotiate and execute documents related to the partial purchase of parcels, payment for construction easement and payment for diminution of value, so described.

I will be available to answer your questions regarding this request at the next Board Meeting scheduled for May 15, 2007. I thank you for your consideration of this important request.

Sincerely,



Kevin A. Dillon  
Airport Director

Attachments

C: Dave Bush

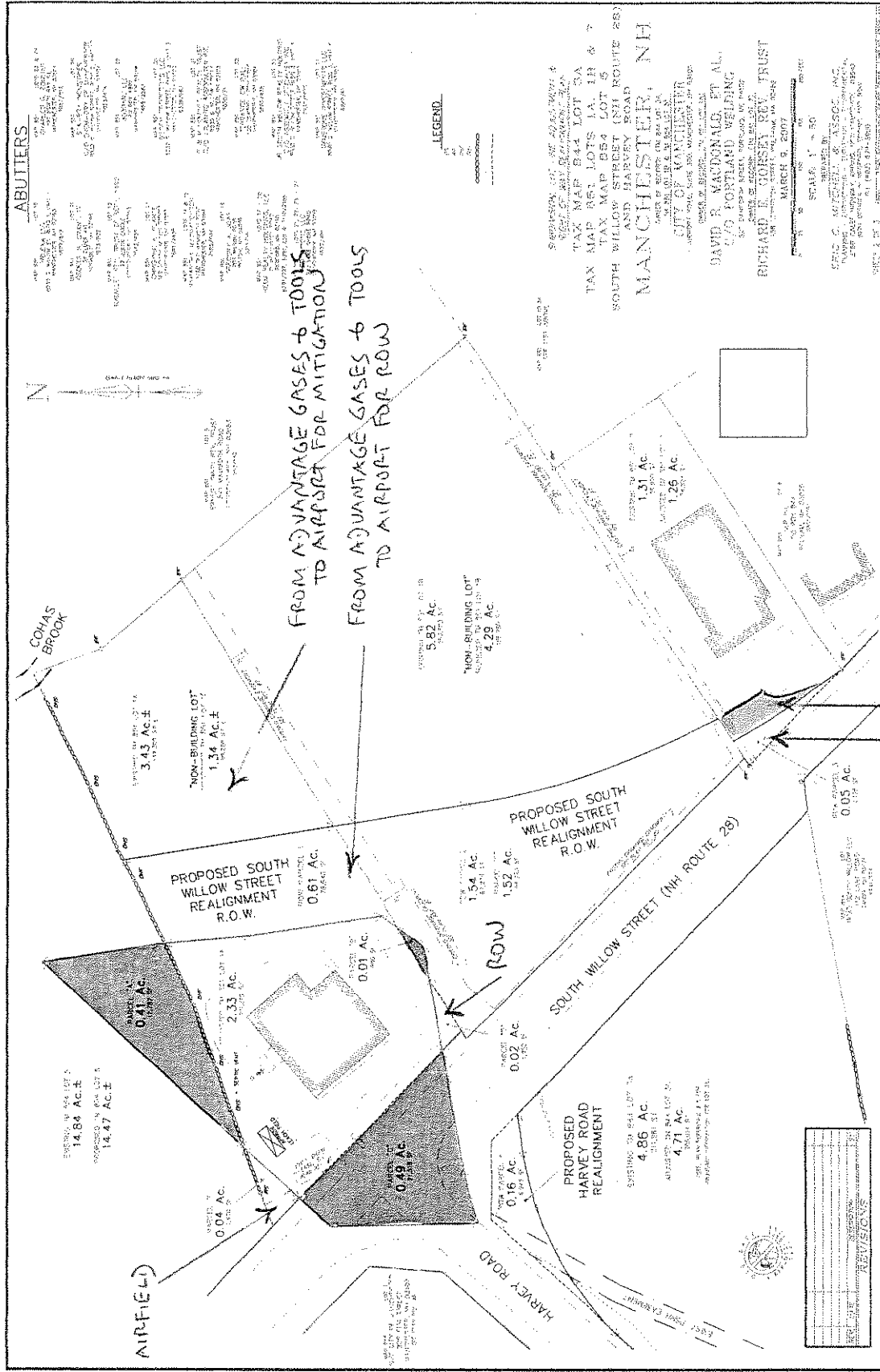
**LEGEND**

CITY OF MANCHESTER  
DEPARTMENT OF AVIATION  
MANCHESTER NEW HAMPSHIRE  
MANCHESTER-BOSTON REGIONAL AIRPORT  
RUNWAY 8/24 SAFETY AREA PROJECT

## LAND ACQUISITIONS

RECORD: 833-37074		BY	DATE
FAY, SPOFFORD & THORNDIKE, LLC			
288 SOUTH RIVER ROAD, BUILDING C			
BEDFORD, NEW HAMPSHIRE 03110			
PHONE: 803-868-2000		FAX: 803-668-7670	

FROM PARCEL OWNER TO AIRPORT



CONSTRUCTION EASEMENT FROM EASTERN BEARINGS TO AIRPORT  
FROM EASTERN BEARINGS TO AIRPORT FOR ROW

# CONSTRUCTION EASEMENT



# CITY OF MANCHESTER

## Office of the City Clerk



Leo R. Bernier  
City Clerk

Carol A. Johnson  
Deputy City Clerk

Paula L-Kang  
Deputy Clerk  
Administrative Services

Matthew Normand  
Deputy Clerk  
Licensing & Facilities

Patricia Piecuch  
Deputy Clerk  
Financial Administration

May 4, 2007

The Honorable Board of Mayor  
and Aldermen  
One City Hall Plaza  
Manchester, NH 03101

Re: July BMA Meeting

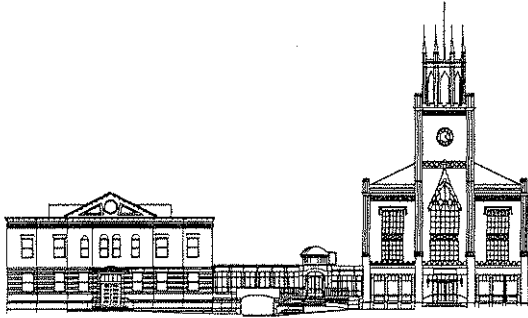
Dear Honorable Board Members:

This year the first Tuesday of the month in July would be the 3<sup>rd</sup>, which would be the Board's regularly scheduled meeting date. As an alternative date for the Board to meet may I suggest Tuesday, July 10<sup>th</sup> so everyone can enjoy the fireworks display and the week of the 4<sup>th</sup> as traditionally a number of Aldermen have taken the week off with their families.

Sincerely,

Leo R. Bernier  
City Clerk

18



*City of Manchester*  
*Office of the Tax Collector*  
*City Hall*  
*One City Hall Plaza*  
*Manchester, New Hampshire 03101*  
*Joan A. Porter, Tax Collector*

*Welcome to the City Of Manchester NH, Where History Invites Opportunity!*

May 8, 2007  
Mayor Frank Guinta  
Board of Aldermen  
1 City Hall Plaza  
Manchester, NH 03101

Mayor Guinta and Honorable Members of the Board,

As has been mentioned several times, I would respectfully request that the Board vote to eliminate the fee charged for the tax warrant. This fee was eliminated in my revenue estimates as well as the Mayor's and ultimately the final budget which has been approved.

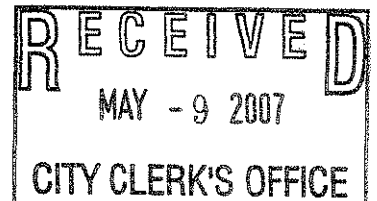
Historically the fee has been \$500 per billing and we had six customers who paid that fee. Many other municipalities do not charge for the file as it has been deemed a savings to the municipality to have the file returned electronically, minimizing staff involvement. My goal is to increase the number of payments processed electronically, thereby reducing the number of payments done through Lockbox or manually which are costly when compared to electronic payments. There are several smaller banks and credit unions who will take advantage of the file if there is no fee. Since the file is emailed, there is no cost to the City to transmit the file.

I will be in attendance at the next meeting of the Board of Mayor and Aldermen. Please let me know if I can provide any answers to your questions either before the meeting or at the meeting.

Thank you for your favorable consideration of this matter.

Sincerely,

Joan A. Porter  
Tax Collector



19



## Manchester/William B. Cashin Senior Activity Center Building Fund

c/o Manchester Senior Services Department

151 Douglas Street, Manchester, NH 03102

Tel: (603) 624-6533

May 8, 2007

Hon. Robert A. Baines,  
Hon. William B. Cashin,  
Honorary Chairs

Atty. David L. Nixon, Chair  
77 Central Street  
Manchester, NH 03101  
Tel: (603) 669-7070

Atty. Michael P. Craig, Co-Chair  
100 Stark Street  
Manchester, NH 03101  
(603) 623-1000

### BOARD OF DIRECTORS:

George Angelopoulos  
Ken Collins  
Louis Craig  
Atty. Eleanor Wm. Dahar  
Ald. Armand Forest  
Senate President Ted Gatsas  
Hon. Carol Johnson  
Clem Lemire (Honorary)  
Ald. Mike Lopez  
Commissioner Paul Martineau  
Paul Porter  
Atty. Robert E. Raiche, Sr.  
Ald. George Smith  
Michael Vigneault  
Seth Wall  
Jeff Bolduc, Chair,  
Manchester Senior Services Comm.  
Barbara Vigneault, Director,  
Manchester Senior Services Dept.

Hon. Frank Guinta, Mayor  
Hon. Mike Lopez,  
Chair, Board of Aldermen  
City of Manchester  
City Hall Plaza  
Manchester, New Hampshire 03101

Re: 2007 Manchester/Cashin Senior Activity Center  
Building Fund Golf Tournament  
Monday, September 10, 2007, 7:00 a.m.  
Derryfield Country Club

Dear Mayor Guinta, Aldermanic Chair Lopez,  
And Members of the Board of Aldermen:

We write as co-chairs of the Manchester/Cashin Senior Activity Center Building Fund, to respectfully request a waiver of the golf green fees normally applicable in respect to this year's Manchester/Cashin Senior Activity Center Building Fund Golf Tournament, to be held, as indicated, on Monday, September 10, 2007, registration at 7:00 a.m., tee-off at 8:00 a.m.

We are also very pleased to report that as of May 7, 2007, the Senior Activity Center Building Fund Committee has raised, toward its goal of \$500,000 (set in 2003) a total of \$496,903.17 in private pledges and donations.

Thus, we have only \$3,096.83 to go to meet our goal.

Last year our golf tournament we raised a gross amount of \$30,172.00 for the Senior Activity Center Building Fund, and incurred related out-of-pocket expenses in the amount of \$4,895.35, for a net gain/profit of \$25,276.65. With your good help, we hope to do better this year.

20

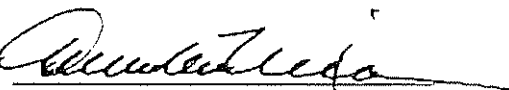
"Cast me not off in the time of old age; forsake me not when my strength faileth."

Psalms, C.71, Verse 9

Thank you very much for any assistance you might provide the Manchester/Cashin Senior Activity Center Building Fund.

RESPECTFULLY,

MANCHESTER/CASHIN SENIOR  
ACTIVITY CENTER BUILDING FUND

BY   
Atty. Dave Nixon, Chair

---

Atty. Mike Craig, Co-Chair

cc: Alderman Mark E. Roy  
Alderman Theodore L. Gatsas  
Alderman Patrick T. Long  
Alderman Jerome Duval  
Alderman Ed Osborne  
Alderman Real R. Pinard  
Alderman William P. Shea  
Alderman Betsi L. DeVries  
Alderman Michael Garrity  
Alderman George Smith  
Alderman Henry R. Thibault  
Alderman Armand Forest  
Alderman Daniel P. O'Neil, At-Large  
Alderman Mike Lopez, At-Large,  
Chair, Board of Aldermen

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# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Eighty Seven Thousand Five Hundred Eighteen Dollars (\$87,518) for the FY2007 CIP 214507 Cities Readiness Initiative.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept grant funds in the amount of \$87,518 from the State of New Hampshire Department of Health and Human Services for the implementation of the Cities Readiness Initiative;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

**By adding:**

FY2007 CIP 214507 – Cities Readiness Initiative - \$87,518 State

Resolved, that this Resolution shall take effect upon its passage.

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Five Hundred Ten Dollars (\$30,510) for the FY2007 CIP 214607 Pandemic Flu Planning.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept grant funds in the amount of \$30,510 from the State of New Hampshire Department of Health and Human Services for the implementation of Pandemic Flu Planning;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

**By adding:**

FY2007 CIP 214607 – Pandemic Flu Planning - \$30,510 State

Resolved, that this Resolution shall take effect upon its passage.

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Ten Thousand Two Hundred Seven Dollars (\$210,207) for the FY2007 for Fire Department’s Security Fiber Connections Project and the 2006 HazMat Allocation Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to accept two Homeland Security Grants from the State 2006 State Homeland Security Program to be used for Hazmat Equipment Training and Security Fiber Connections;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

**By adding:**

FY2007 CIP 412507 – 2006 HazMat Allocation Project - \$73,425 State

**By adding:**

FY2007 CIP 412607 – Security Fiber Connection Project - \$136,782 State

Resolved, that this Resolution shall take effect upon its passage.

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Dollars (\$30,000) for the FY2007 CIP 612707 Neighborhood Pride – Youth Employment (Cleanstreets) Program.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budgets; and

WHEREAS, Table 1 contains all sources of Federal, State and Other funds and Table 2 contains all sources of Community Development Block Grant, Emergency Shelter Grant and HOME funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to initiate the creation of a summer youth program utilizing existing Unprogrammed CDBG funds in the amount of \$25,000 and additional Private funding in the amount of \$5,000; and

WHEREAS, funds in the amount of \$25,000 are available through CDBG Unprogrammed funds;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

**By adding:**

CIP 612707 – Neighborhood Pride – Youth Employment (Cleanstreets) Program - \$25,000 CDBG & \$5,000 Other

Resolved, that this Resolution shall take effect upon its passage.

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Five Hundred Ninety Nine Thousand Seven Hundred Ninety Eight Dollars and Twenty Eight Cents (\$599,798.28) for FY2007 CIP 712207 Hands Across The Merrimack Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to accept funds in the amount of \$599,798.28 from the State of New Hampshire Department of Transportation - ISTEA Program for the construction of the Hands Across the Merrimack Pedestrian Bridge;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

**By increasing:**

FY2007 CIP 712207 – Hands Across The Merrimack Project - \$599,798.28 – State ISTEA  
(From \$250,000 Bond to \$250,000 Bond; \$599,798.28 State)

Resolved, that this Resolution shall take effect upon its passage.

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Amending the FY2001, FY2003, FY2005, FY2006 and FY2007 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Two Million One Hundred Twenty Thousand Dollars (\$2,120,000) for various CIP Projects.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2001, 2003, 2005, 2006 and 2007 CIP as contained in the 2001, 2003, 2005, 2006 and 2007 CIP budget; and

WHEREAS, Table 5 contains all sources of Enterprises, Fees and Other Dedicated Source funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to transfer existing fund balances from various EPD Projects in the amount of \$2,120,000 to allow for the completion of CIP 711105 - CSO -- Phase I (Bremer Street) and CIP 711806 - CSO Crescent Road Basin Projects; and

NOW, THEREFORE, be it resolved that the 2001, 2003, 2005, 2006 and 2007 CIP be amended as follows:

**1) By decreasing and revising:**

- a) **FY2001 CIP 740001 – CSO Abatement Projects - \$710,000 Enterprise**  
(From \$17,700,000 to \$16,990,000)
- b) **FY2003 CIP 710203 - CSO Projects - \$900,000 Enterprise**  
From \$7,989,418.74 (\$4,330,000 Enterprise; \$3,519,927.34 Other; and \$139,491.40) to \$7,089,418.74 (\$3,430,000 Enterprise; \$3,500,000 Federal; and \$159,418.74 FEMA/State)
- c) **FY2007 CIP 712507 – Sewer Infrastructure Repair - \$510,000 EPA**  
(from \$2,000,000 Enterprise to \$1,490,000 Enterprise)

**2) By increasing and revising:**

**FY2005 CIP 711105 – CSO – Phase I (Bremer Street) Project - \$920,000 EPA**  
From \$6,080,000 Enterprise to \$7,000,000 (\$6,070,850 Enterprise and \$929,150 EPA)  
**FY2006 CIP 711806 – CSO Crescent Road Basin Project - \$1,200,000**  
From \$3,600,000 Enterprise to \$4,800,000 (\$4,403,200 Enterprise; \$396,800 EPA)

Resolved, that this Resolution shall take effect upon its passage.

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

"Authorizing the Finance Officer to effect a transfer of Fifty Five Thousand Dollars (\$55,000) from Contingency to Police"

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Overtime Salary	Account 3301C10130.....\$16,000
Special Projects	Account 3301C10898.....\$39,000

Resolved, that this resolution shall take effect upon its passage.

For "Drugs and Guns Program"

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Authorizing the Finance Officer to effect a transfer of One Thousand One Hundred Fifty Dollars (\$1,150) from Contingency to Civic Contributions.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

Civic Contributions	Account 1710C10935.....\$1,150
---------------------	--------------------------------

For “Brookside International Community Garden”

Resolved, that this resolution shall take effect upon its passage.



# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

"A Resolution appropriating to the Parking Fund the sum of \$5,299,591 from Parking for the Fiscal Year 2008."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the sum of Five Million, Two Hundred Ninety Nine Thousand, Five Hundred Ninety One Dollars (\$5,299,591) from Parking shall be hereby appropriated to the Parking Fund for Fiscal Year 2008 as follows:

Salaries and Wages .....	506,459
Line Item Expenses.....	3,033,600
Debt Service.....	817,170
Capital Outlay.....	630,000

RESTRICTED FUNDS: Subject to the approval of the Finance Officer.

Employee Benefits.....	312,362
------------------------	---------

TOTAL.....	\$5,299,591
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RESOLVED that this Resolution shall take effect upon its passage.

To: Carol Johnson

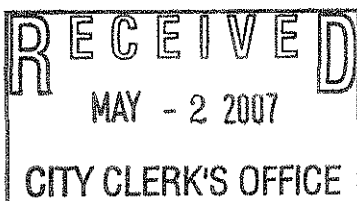
From: Bill Sanders



Date: May 2, 2007

Subject: Parking Fund Budget Report

Attached is the Parking Fund budget which replaces the report provided to The Board of Mayor and Aldermen at last night's meeting. The report provided last night inadvertently included a third page which provided totals for all funds, not just the Parking Enterprise Fund. The attached report is for the Parking Fund only.



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City of Manchester, New Hampshire  
Expenditures Budget Report by Agency  
Actual FY 2006, Actual P-Y-D FY 2007,  
Budget FY 2007 and Mayor's Budget FY 2008

Run date 05/02/07 (BUDAGENEX2)

City Fund 0809 Parking  
Agency (FUND) 540 Parking Department

	FY 2006 Actual Expenditures	FY 2007 Inc pr we 04-21 Actual Expend.	FY 2007 Modified Budget	FY 2008 Mayor's #1 Recommended	FY 2008 Mayor's #2 Recommended	Mayor's 2008 vs Modified 2007 Inc / (Dec)	Percentage Change Inc / (Dec)
TOTAL: 0110 Regular Salary	230,128		489,848	496,459	562,685	72,837	14
TOTAL: 0130 Overtime Salary	24,762		10,000	10,000	20,000	10,000	100
TOTAL: 0211 Health Insurance	62,813		165,600	153,685	194,058	28,458	17
TOTAL: 0212 Dental Insurance	4,958		8,900	15,061	15,061	6,161	69
TOTAL: 0213 Life Insurance	341		500	729	729	229	45
TOTAL: 0214 Worker's Compensat			5,000	28,954	28,954	23,954	479
TOTAL: 0219 Disability Insuran	306		300	661	661	361	120
TOTAL: 0228 City Contributory	31,698		39,200	68,895	65,743	26,543	67
TOTAL: 0230 FICA	18,594		43,500	35,977	43,072	(428)	
TOTAL: 0260 Unemployment Compe							
TOTAL: 0270 Tuition Reimburse							
TOTAL: 0271 Staff Development							
TOTAL: 0298 Uniform Allowance	84		5,000	8,400	8,400	3,400	68
TOTAL: 0350 Management Service	13,161		18,240	12,000	12,000	(6,240)	(34)
TOTAL: 0419 Service Agreements	5,550		8,200	8,500	8,500	300	3
TOTAL: 0431 Hazardous Waste Re							
TOTAL: 0432 Snow Removal Servi	30,585		50,000	50,000	50,000		
TOTAL: 0433 Custodial Services	51		5,000			(5,000)	(100)
TOTAL: 0441 Maintenance & Repa	4,074		15,000	20,000	20,000	5,000	33
TOTAL: 0442 Vehicle Repairs/Pa	1,157		3,000	5,000	5,000	2,000	66
TOTAL: 0444 Alarm Maintenance	379						
TOTAL: 0445 Contracts	354,383		350,000	505,500	505,500	155,500	44
TOTAL: 0451 Rental Machinery &	63						
TOTAL: 0452 Leases - All	486,768		618,900	443,900	440,567	(178,333)	(28)
TOTAL: 0520 Insurance - Other			22,380	8,500	8,500	(13,880)	(62)
TOTAL: 0521 Insurance - CGL	15		7,620	8,000	13,000	5,380	70
TOTAL: 0522 Insurance - Proper	66			3,500	3,000	3,000	
TOTAL: 0531 Telephone	6,417		7,700	10,700	10,700	3,000	38
TOTAL: 0532 Postage	5,566		8,500	7,500	7,500	(1,000)	(11)

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City of Manchester, New Hampshire  
Expenditures Budget Report by Agency  
Actual FY 2006, Actual F-Y-D FY 2007,  
Budget FY 2007 and Mayor's Budget FY 2008

Run date 05/02/07 (BUDAGENEX2)

City Fund 0809 Parking  
Agency (FUND) 540 Parking Department

FY 2006 Actual Expenditures	FY 2007 Inc pr we 04-21 Actual Expend.	FY 2007 Modified Budget	FY 2008 Mayor's #1 Recommended	FY 2008 Mayor's #2 Recommended	Mayor's 2008 vs Modified 2007 Inc / (Dec)	Percentage Change Inc / (Dec)
TOTAL: 0540 Advertising	2,925	3,800	4,700	4,700	900	23
TOTAL: 0550 Printing, Publishi	9,271	20,000	20,000	20,000		
TOTAL: 0580 Travel, Conference	8,789	12,000	3,000	3,000	(9,000)	(75)
TOTAL: 0591 Contract manpower	154,840	211,275			(211,275)	(100)
TOTAL: 0592 Duplicating Servic	4,155	7,300	5,800	5,800	(1,500)	(20)
TOTAL: 0610 General Supplies	13,396	11,000	11,000	11,000		
TOTAL: 0611 Graphics						
TOTAL: 0615 Gas, Oil & Diesel	2,769	4,000	4,000	4,000		
TOTAL: 0616 Tires & Batteries						
TOTAL: 0617 Minor Apparatus &						
TOTAL: 0618 Custodial Supplies	403					
TOTAL: 0619 Fire Extinguishers						
TOTAL: 0652 Electricity	20,277	35,000	30,000	30,000	(5,000)	(14)
TOTAL: 0670 Freight						
TOTAL: 0681 Salt						
TOTAL: 0682 Construction Mater	8,472	51,112	50,000	50,000	(1,112)	(2)
TOTAL: 0800 Work Orders Miscel						
TOTAL: 0810 Dues, Fees, & Lice	3,080	1,800	2,000	2,000	200	11
TOTAL: 0811 Credit Card Fees	10,764		20,000	32,983	32,983	
TOTAL: 0865 Medical Supplies						
TOTAL: 0890 Miscellaneous	1,618	1,000			(1,000)	(100)
TOTAL: 0893 Depreciation	175,684					
TOTAL: 0900 Reimburse City		4,225,000	1,800,000	1,800,000	(2,425,000)	(57)
TOTAL: 0919 Maturing Debt		491,350	548,431	548,431	57,081	11
TOTAL: 0920 Interest On Maturi	161,088	276,800	268,739	268,739	(8,061)	(2)
TOTAL: 0968 Other Project Cost	915,925	1,000,000	630,000	630,000	(370,000)	(37)
TOTAL: 0990 PURCHASING CARDS -						
TOTAL: 540 Parking Department	2,775,391	8,233,825	5,299,591	5,434,283	(2,799,542)	(34)
TOTAL: 0809 Parking	2,775,391	8,233,825	5,299,591	5,434,283	(2,799,542)	(34)

# Memo

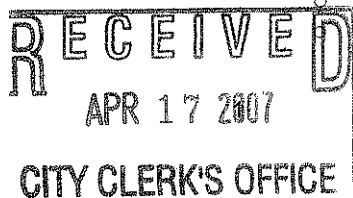
**To:** Board of Mayor and Aldermen  
**From:** Brandy Stanley  
**CC:** Jay Minkarah, City Clerk  
**Date:** 4/17/2007  
**Re:** FY2008 Budget Resolution

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The Parking Division would like to request that the proposed resolution on item 25 this evening be amended to include the unfunded payroll positions that have been approved by the full board for the night manager and the customer service representative as a part of the plan submitted to take over management of the Victory Garage.

Approval of these positions is very important to the parking operation in the city, and the additional payroll will NOT decrease the amount contributed to the General Fund. Below is a list of duties and the appropriate justification for both positions, and your consideration is much appreciated.

- **Customer Service Representative II, pay grade 13:**
  - Increasing workload on parking division due to addition of PCOs, Victory Garage
  - Brandy Stanley cannot consistently answer phones or do anything on a daily basis that takes a large amount of time due to public outreach, community meetings, building policies and working on various projects
  - Most additional work has been delegated to Denise Boutilier, who now does not have enough time to get everything done
  - Answering phones and acting as dispatch for complaints and immediate issues generated by PCOs and Victory Garage operations
  - Dealing with walk-in customers (anticipate 25-35 per day between citations, meter bags, garage, permit issuance)
  - Segregation of duties
    - Monthly parking: Denise enters receipts into HTE, need someone else to handle the money
    - Daily Parking: Money counter cannot be the same person as the one who enters/audits tickets (Denise to audit and enter, CSR to count money)
    - Access card maintenance: Person responsible for activating/deactivating cards cannot be responsible for maintaining billing system
  - Additional 700 invoices to be printed and mailed
- **Parking Shift Supervisor, pay grade 15:**
  - This position will be filled by the existing garage manager
  - Maintenance of meters after 3pm when meter techs go home
  - Customer service support for PCOs
  - Management of PCOs in the evenings
  - Special event management at Victory and Pine Lot
  - Garage management in the evenings



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Should the Board of Mayor and Aldermen agree to our request, we would propose that the resolution appropriating money to the Parking Fund be revised as follows:

	<u>Current Resolution</u>	<u>Proposed Resolution</u>
Salaries and Wages:	\$506,459	\$572,685
Line Item Expenses:	\$3,033,600	\$3,056,150
Debt Service:	\$817,170	\$817,170
Capital Outlay:	\$630,000	\$630,000
Employee Benefits:	\$312,362	TBD by Finance based on above
TOTAL:	\$5,299,591	\$5,424,282 (estimated)

The above changes represent an additional \$124,691 in expenses, and there will be no impact to the Parking Division's contribution to the General Fund.

**Parking Division**  
**Variances to Mayor's Budget**

	Proposed	Mayor	Mayor vs. Pkg Budgets	Comments
<b>Revenues</b>				
Parking Pay Stations	\$ 94,236.00	\$ 65,000.00	\$ (29,236.00)	
Civic Center	\$ 91,273.00	\$ 93,548.00	\$ 2,275.00	
Parking Meters	\$ 784,828.00	\$ 786,058.00	\$ 1,230.00	
Booting Fines	\$ 30,000.00	\$ 15,400.00	\$ (14,600.00)	
Parking Permits	\$ 1,565,205.00	\$ 1,530,404.00	\$ (34,801.00)	
Card Lease	\$ 651,779.00	\$ 675,205.00	\$ 23,426.00	
Lease	\$ 174,087.00	\$ 152,280.00	\$ (21,807.00)	
Meter Hood	\$ 32,871.00	\$ 35,770.00	\$ 2,899.00	
Auto Registration	\$ 165,000.00	\$ 165,000.00	\$ -	
Parking Fine Court	\$ 4,123.00	\$ 3,840.00	\$ (283.00)	
Expired Meters	\$ 2,130,991.00	\$ 1,780,006.00	\$ (350,985.00)	
Refund on Parking	\$ (1,663.00)	\$ (2,920.00)	\$ (1,257.00)	
Income from Invested Funds	\$ 16,245.00	\$ -	\$ (16,245.00)	
<b>Total</b>	<b>\$ 5,738,975.00</b>	<b>\$ 5,299,591.00</b>	<b>\$ (439,384.00)</b>	Additional revenues budgeted after first submission to
<b>Expenses</b>				
Regular Salary	\$ 562,685.00	\$ 496,459.00	\$ (66,226.00)	Receptionist, Night Manager not funded
Overtime Salary	\$ 10,000.00	\$ 10,000.00	\$ -	
Health Insurance	\$ 194,058.00	\$ 153,685.00	\$ (40,373.00)	See above
Dental Insurance	\$ 15,061.00	\$ 15,061.00	\$ -	
Life Insurance	\$ 729.00	\$ 729.00	\$ -	
Worker's Comp	\$ 28,954.00	\$ 28,954.00	\$ -	
Disability Insurance	\$ 661.00	\$ 661.00	\$ -	
City Contributory	\$ 65,742.00	\$ 68,895.00	\$ 3,153.00	See above
FICA	\$ 43,072.00	\$ 35,977.00	\$ (7,095.00)	See above
Uniform Allowance	\$ 8,400.00	\$ 8,400.00	\$ -	
Management Services	\$ 12,000.00	\$ 12,000.00	\$ -	
Service Agreements	\$ 8,500.00	\$ 8,500.00	\$ -	
Snow Removal	\$ 50,000.00	\$ 50,000.00	\$ -	
Maintenance & Repairs	\$ 20,000.00	\$ 20,000.00	\$ -	
Vehicle Repairs	\$ 5,000.00	\$ 5,000.00	\$ -	
Contracts	\$ 505,500.00	\$ 505,500.00	\$ -	
Leases - All	\$ 440,567.00	\$ 443,900.00	\$ 3,333.00	Revised budget numbers after HTE access closed and initial review
Insurance - Other	\$ 8,500.00	\$ 8,500.00	\$ -	
Insurance - CGL	\$ 8,000.00	\$ 8,000.00	\$ -	
Insurance - Property	\$ 3,000.00	\$ 3,500.00	\$ 500.00	
Insurance - Claims Reserve	\$ 5,000.00	\$ -	\$ (5,000.00)	Enterprise does not participate in city policy and needs its own reserve for deductibles on claims
Telephone	\$ 10,700.00	\$ 10,700.00	\$ -	
Postage	\$ 7,500.00	\$ 7,500.00	\$ -	
Advertising	\$ 4,700.00	\$ 4,700.00	\$ -	
Printing, Publishing	\$ 20,000.00	\$ 20,000.00	\$ -	
Travel, Conference	\$ 3,000.00	\$ 3,000.00	\$ -	
Duplicating Services	\$ 5,800.00	\$ 5,800.00	\$ -	
General Supplies	\$ 11,000.00	\$ 11,000.00	\$ -	
Gas, Oil & Deisel	\$ 4,000.00	\$ 4,000.00	\$ -	
Electricity	\$ 30,000.00	\$ 30,000.00	\$ -	
Construction Materials	\$ 50,000.00	\$ 50,000.00	\$ -	
Dues, Fees & Licenses	\$ 2,000.00	\$ 2,000.00	\$ -	
Credit Card Fees	\$ 32,983.00	\$ 20,000.00	\$ (12,983.00)	Revised budget numbers after HTE access closed and initial review - Based on actual numbers
Reimburse City	\$ 1,800,000.00	\$ 1,800,000.00	\$ -	
Maturing Debt	\$ 548,431.00	\$ 548,431.00	\$ -	
Interest on Maturing Dedt	\$ 268,739.00	\$ 268,739.00	\$ -	
Other Project Costs	\$ 630,000.00	\$ 630,000.00	\$ -	
<b>Total</b>	<b>\$ 5,424,282.00</b>	<b>\$ 5,299,591.00</b>	<b>\$ (124,691.00)</b>	

Parking Division  
FY08 Budget Payroll Worksheet

Employee	Salary	Health Insurance	Dental Insurance	Life Insurance	Social Security	Disability Insurance	City Contributory	Medicare	Total
Denise Boutlier	\$50,794	\$10,401	\$677	\$74	\$2,986	\$66	\$6,116	\$698	\$71,811
Brandy Stanley	\$79,841	\$14,040		\$74	\$4,420	\$101	\$9,613	\$1,034	\$109,122
Parking Shift Supervisor	\$37,565	\$14,040	\$1,301	\$56	\$2,329	\$50	\$4,523	\$545	\$60,409
Customer Service Rep III	\$28,662	\$14,040	\$1,301	\$43	\$1,777	\$38	\$3,451	\$416	\$49,728
<b>Total Administration</b>	<b>\$196,862</b>	<b>\$52,522</b>	<b>\$3,279</b>	<b>\$245</b>	<b>\$11,512</b>	<b>\$255</b>	<b>\$24,906</b>	<b>\$3,458</b>	<b>\$293,038</b>
Tim Lolicata	\$43,430	\$6,676	\$349	\$63	\$2,693	\$56	\$5,229	\$630	\$59,126
Marie LaRoche	\$28,702	\$5,200	\$349	\$38	\$1,780	\$34	\$3,456	\$416	\$39,975
Lot Maintenance	\$10,109				\$667			\$156	\$10,932
<b>Total Meter</b>	<b>\$82,241</b>	<b>\$11,876</b>	<b>\$698</b>	<b>\$101</b>	<b>\$5,139</b>	<b>\$91</b>	<b>\$8,685</b>	<b>\$1,202</b>	<b>\$110,033</b>
Garage Maintenance	\$20,218	\$14,040	\$1,301	\$35	\$1,449	\$31	\$2,813	\$339	\$40,226
Cashier Part Time	\$10,764				\$667			\$156	\$11,587
Cashier Part Time	\$10,764				\$667			\$156	\$11,587
Cashier Full Time	\$21,528	\$14,040	\$1,301	\$35	\$1,449	\$31	\$2,813	\$339	\$41,536
Security	\$26,780	\$14,040	\$1,301	\$40	\$1,660	\$36	\$3,225	\$388	\$47,470
<b>Total Victory Garage</b>	<b>\$90,054</b>	<b>\$42,120</b>	<b>\$3,903</b>	<b>\$110</b>	<b>\$5,893</b>	<b>\$98</b>	<b>\$8,851</b>	<b>\$1,378</b>	<b>\$152,406</b>
PCO	\$11,856		\$0	\$16	\$735	\$0	\$1,427	\$172	\$14,207
PCO	\$23,369	\$14,040	\$1,301	\$35	\$1,449	\$31	\$2,813	\$339	\$43,378
PCO	\$23,369	\$14,040	\$1,301	\$35	\$1,449	\$31	\$2,813	\$339	\$43,378
Krystyna Donati	\$33,534	\$13,352	\$677	\$47	\$1,960	\$43	\$4,038	\$458	\$54,110
Belinda Scarboro	\$33,842	\$18,025	\$1,301	\$49	\$1,933	\$44	\$4,075	\$452	\$59,720
PCO	\$26,712	\$14,040	\$1,301	\$37	\$1,760	\$33	\$3,216	\$374	\$47,473
Maureen O'Neil	\$11,856		\$0	\$15	\$735	\$0	\$1,427	\$172	\$14,206
Laura Bourgeois	\$28,990	\$14,040	\$1,301	\$38	\$1,754	\$35	\$3,491	\$410	\$50,059
<b>Total</b>	<b>\$193,528</b>	<b>\$87,540</b>	<b>\$7,181</b>	<b>\$272</b>	<b>\$11,776</b>	<b>\$217</b>	<b>\$23,301</b>	<b>\$2,716</b>	<b>\$326,531</b>
<b>Grand Total Parking</b>	<b>\$562,685</b>	<b>\$194,058</b>	<b>\$15,061</b>	<b>\$729</b>	<b>\$34,319</b>	<b>\$661</b>	<b>\$65,742</b>	<b>\$8,753</b>	<b>\$882,008</b>

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# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

"A Resolution appropriating to the Central Business Service District the sum of \$244,000 from Central Business Service District Funds for Fiscal Year 2008."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the sum of Two Hundred Forty Four Thousand Dollars (\$244,000) from Central Business Service District funds shall be hereby appropriated to the Central Business Service District for Fiscal Year 2008 as follows:

RESTRICTED FUNDS: Subject to the approval of the Planning Director.

Expenses.....\$244,000

TOTAL.....\$244,000

RESOLVED that this Resolution shall take effect upon its passage.

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

“Continuation of the Central Business Service District.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

- WHEREAS, the establishment of Central Business Service Districts are authorized under provision of RSA 31:120 through RSA 31:125; and
- WHEREAS, the Board of Mayor and Aldermen have further authorized the establishment of such districts and has set forth procedures for the same in Chapter 37 of the Code of Ordinance; and
- WHEREAS, the Board of Mayor and Aldermen, after consultation with and on the recommendation of an Advisory Board of owners and tenants within the proposed district, find that a central business service district should be continued:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN:

1. That the recommended boundaries of the district within which services will be provided and assessments made on the property are:

Beginning at a point at the intersection of River Road and west North Street; thence easterly along West North Street and continuing along North Street to Bay Street;  
thence southerly along Bay Street to Sagamore Street;  
thence along Sagamore Street to a point at the rear property line of property at 1631 Elm Street (Rite-Aid);  
thence generally southerly along the rear property line of property at 1631 Elm Street (Rite-Aid) to Pennacook Street;  
thence westerly along Pennacook Street to an alley – Elm Street East Back;  
thence southerly along Elm Street East Back Alley to Blodgett Street;  
thence westerly along Blodgett Street to an alley – Elm Street East Back;  
thence southerly along Elm Street East Back Alley to Brook Street;  
thence easterly along Brook Street to Temple Court;  
thence southerly along Temple Court to Harrison Street;  
thence westerly along Harrison Street to the rear of the building at 1415 Elm Street (the “Sears Building” so-called);  
thence southerly along the rear of the building at 1415 Elm Street (the “Sears Building” so-called) to Prospect Street;  
thence continuing southerly along the rear property line of 1331-1375 Elm Street to Myrtle Street;  
thence continuing southerly along an alley – North Church Street to Orange Street;

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## A RESOLUTION

"Continuation of the Central Business Service District."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

thence easterly along Orange Street to Chestnut Street;  
thence southerly along Chestnut Street to Bridge Street;  
thence easterly along Bridge Street to Pine Street;  
thence southerly along Pine Street to Manchester Street;  
thence westerly along Manchester Street to Chestnut Street;  
thence southerly along Chestnut Street to Auburn Street;  
thence westerly along Auburn Street to Elm Street;  
thence southerly along Elm Street to the southerly point of property on the  
west side of Elm Street now or formerly of Allen-Bradely Corp.;  
thence westerly along the property line of said property to the B & M rail  
line;  
thence continuing westerly across property of the City of Manchester to  
the Merrimack River;  
thence northerly along the Merrimack River to the Amoskeag Dam;  
thence easterly from the Amoskeag Dam on a line extending to River  
Road;  
thence northerly along River Road to West North Street; said point also  
being the point of beginning.

That the district is to include all properties within the described  
boundaries.

2. That the assessed values of the properties for purposes of assessments be  
established in accordance with the property tax maps and records as  
maintained by the Board of Assessors.
3. That services to be provided within the District consist of daily cleaning,  
maintenance and inspection of incidental repairs within the right-of-way in  
the District and such other services as determined by the Advisory Board.
4. That the special district assessment for Fiscal Year 2008 be established at  
\$.3643 per thousand dollars of assessed value of each property assessed  
within the district.
5. That the special district assessment shall be made against the owners of all  
commercial, all industrial and residential properties of five units or more,  
(excluding multi unit condominium properties).

Resolved, that this Resolution shall take effect upon its passage.

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.

ought to pass.

*(Aldermen Duval, Lopez, Garrity, and Pinard recorded in favor; Alderman Gatsas opposed)*

IN BOARD OF MAYOR & ALDERMEN

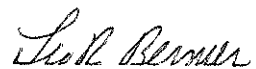
DATE: September 5, 2006

ON MOTION OF ALD. Garrity

SECONDED BY ALD. Smith

VOTED TO table.

Respectfully submitted,



Clerk of Committee



CITY CLERK

# City of Manchester New Hampshire

*In the year Two Thousand and Six*

## AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, and 875-16.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,  
as follows:

SECTION 1. “Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (General Industrial/Industrial Park) located on Gold Street including Tax Map 875, Lots 14, 15, and 16, and being more particularly bounded and described as follows:

Beginning at a point on the centerline of the intersection of Gold Street and John E. Devine Drive extended, said point being on the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment;

Thence, easterly along the centerline of Gold Street, also being the zone boundary line between the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, approximately 965 ft. to a point;

Thence, southerly along the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, a distance of approximately 570 ft. to a point;

Thence, southwesterly along the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, a distance of approximately 1,075 ft. to a point;

Thence, northwesterly generally along the centerline of the former Lawrence Branch of the Boston and Maine Railroad, a distance of approximately 1,090 ft. to a point, said point being the zone boundary line of the R-1B (Residential One-Family) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment;

Thence, easterly along the centerline of Gold Street, also being the new zone boundary line between the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, after this amendment, a distance of approximately 515 ft. to a point, said point also being the point of beginning.

Said description to include TM 875, Lot 14, Lot 15, and Lot 16 consisting of approximately 19.43 acres of private land, to be rezoned from IND (General Industrial/Industrial Park) to B-2 (General Business) zone district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.

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DEVINE  
MILLIMET

ATTORNEYS AT LAW

*By Hand Delivery*

SUSAN V. DUPREY  
603.695.8505  
SDUPREY@DEVINEMILLIMET.COM

June 19, 2006

Office of the City Clerk  
One City Hall  
Manchester, NH 03101-2097

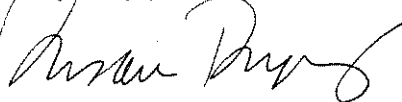
RE: *GFI Gold Street, LLC - Petition for Rezoning*

Dear Sir or Madam:

Enclosed please find a Petition for rezoning parcels Map 875, Lot 15 and Map 875, Lot 16. Also enclosed is our check in the amount \$300.00. Our office represents GFI, which requests this rezoning.

Please feel free to contact me should you have any questions regarding this matter or if additional information is required. Thank you.

Very truly yours,



Susan V. Duprey

SVD:ml

Enclosures

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July 11, 2006.

In Board of Mayor and Aldermen.

On motion of Alderman Garrity, duly seconded by Alderman Forest, it was voted to refer the petition for rezoning to a Public Hearing on Monday, August 7, 2006 at 6 PM in the Aldermanic Chambers of City Hall and further to authorize execution of agreements enclosed subject to the review and approval of the City Solicitor.

  
\_\_\_\_\_  
City Clerk

DEVINE, MILLIMET  
& BRANCH  
PROFESSIONAL  
ASSOCIATION

111 AMHERST STREET  
MANCHESTER  
NEW HAMPSHIRE  
03101

T 603.669.1000  
F 603.669.8547  
DEVINEMILLIMET.COM

MANCHESTER, NH  
ANDOVER, MA  
CONCORD, NH  
NORTH HAMPTON, NH

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STATE OF NEW HAMPSHIRE  
CITY OF MANCHESTER

GFI GOLD STREET, LLC

PETITION FOR REZONING

NOW COMES the Petitioner, GFI Gold Street, LLC, by and through its attorneys, Devine, Millimet & Branch, Professional Association, and petitions the Board of Mayor and Aldermen of the City of Manchester, in accordance with Article 16 of the City of Manchester Zoning Ordinance, to change the zone of and amend the Zoning Map regarding 2 parcels of land, one of which is located at 725 Gold Street and the other of which is near Gold Street, County of Hillsborough, City of Manchester and identified as Map 875 Lot 15 and Map 875 Lot 16 in the tax records for the City of Manchester. In support thereof, Petitioner states as follows:

1. GFI Gold Street, LLC is the owner of record of that parcel of land located at 725 Street and identified as Map 875 Lot 15 in the tax records of the City of Manchester (Property 1).

---

Property 1 is approximately 15.178 acres in size and was formerly the site of Associated Grocers which has since relocated. Property 1 is currently zoned Industrial.
2. Ashkars Children's Limited Liability Company and John N. Ashkars own a parcel near Gold Street which has no building situate on it and abuts Property 1 which land is identified as Map 875 Lot 16 in the tax records of the City of Manchester ("Property 2"). Property 2 is approximately 36,864 square feet in size and is also zoned Industrial. Property 2 is subject to a purchase agreement in favor of GFI Gold Street, LLC.
3. The Petitioner, GFI Gold Street, LLC, for itself as owner of Property 1 and as agent for the owners of Property 2, seeks to change the zoning classification of Property 1 and Property 2 from Industrial to B-2 in order to locate a retailer on Property 1 and Property 2.
4. A copy of the tax map showing Property 1 and Property 2 as situated in the Industrial Zone and the zoning designations for the surrounding properties is attached is Exhibit A.
5. It is believed that the change of zone will have little impact on the surrounding area in that much of the surrounding area was either zoned B-2, has been rezoned from

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Industrial to B-2 or variances have been granted to allow uses permitted in the B-2 zone.

Changing the zone to B-2 will reduce heavy truck traffic in the area as Property 1 is now used as a 24 hour per day trucking terminal. Plans are being prepared to help address and to generally improve conditions on Gold Street.

6. This proposed change will have a substantial positive tax revenue impact for the City of Manchester and will have no effect on the environment as Property 1 is already developed for an industrial use. There will be no impact on municipal services or facilities.

7. The names, addresses, tax map numbers and lot numbers of all abutting property owners and all properties on the opposite side of the street from Property 1 and Property 2 are attached as Exhibit B.

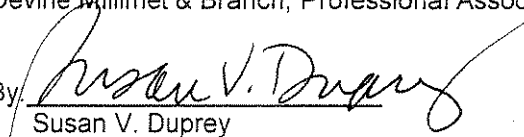
8. A metes and bounds description of Property 1 and Property 2 is attached as Exhibit C.

9. The Petitioner respectfully requests that the Honorable Board of Mayor and Aldermen approve this request to change the zone for Property 1 and Property 2 from Industrial to B-2 and to amend the Zoning Map to reflect this change.

Respectfully submitted,

GFI Gold Street, LLC  
By its Attorneys,  
Devine Millimet & Branch, Professional Association

By

  
Susan V. Duprey  
111 Amherst Street  
Manchester, NH 03101  
(603) 695-8505

Dated: June 19, 2006





## Exhibit C

### Legal Description for Lot 875-15, located at 725 Gold Street, Manchester:

A certain tract or parcel of land with the buildings thereon, situate in Manchester, Hillsborough County, State of New Hampshire, being Lot 875-15 on Plan #\_\_\_\_\_, entitled "ALTA/ACSM Land Title Survey, 725 Gold Street in Manchester, New Hampshire (Hillsborough County), dated December 22, 2005, prepared by BSC Group, more particularly bounded and described as follows:

Beginning at a point on the northeasterly corner of the Lot on the southerly line of Gold Street; thence

1. South  $9^{\circ} 17' 43''$  East, a distance of 80.15 feet to a concrete bound found; thence
2. South  $09^{\circ} 76' 53''$  East, a distance of 488.15 feet by the westerly side of Lot 875-14; to an iron pipe at the southeasterly corner of the lot; thence
3. South  $64^{\circ} 53' 52''$  West, a distance of 310.73 feet by the northerly line of the Interstate Highway 293 to an iron pipe; thence
4. South  $82^{\circ} 28' 33''$  West, a distance of 517.33 feet by the northerly line of Lot 875-16 to an iron pipe at the southeasterly corner of the premises; thence
5. North  $32^{\circ} 51' 25''$  West, a distance of 21.90 feet to an iron pipe; thence
6. North  $08^{\circ} 01' 16''$  West, a distance of 19.62 feet to an iron pipe; thence
7. North  $32^{\circ} 51' 25''$  West, a distance of 714.62 feet by the easterly side of the rail road tracks to an iron pipe at the northwest corner of the premises on the southerly line of Gold Street; thence
8. North  $80^{\circ} 33' 28''$  East, a distance of 305.63 feet by the southerly line of Gold Street to an iron pipe; thence
9. North  $80^{\circ} 16' 28''$  East, a distance of 586.18 feet by the southerly line of Gold Street to an iron pipe; thence
10. Curving in a southeasterly direction with a radius of 399.80 feet, along the southerly line of Gold Street, a distance of 230.44 feet to the point of beginning.

Containing 15.178 Acres, more or less.

**Legal Description for Lot 875-16, located on Gold Street, Manchester:**

A certain Tract or parcel of land, situated in Manchester, bounded and described as follows:

Beginning at a point on the southwest corner of the premises north of the Interstate Highway 293, thence

1. North  $32^{\circ} 51' 25''$  West along said Manchester-Lawrence Railroad for a distance of 157.68 feet, more or less to an iron post set at land of Associated Grocers; thence
2. South  $82^{\circ} 28'$  East for a distance of 517.33 feet, more or less to the interstate Highway 293; thence
3. South  $64^{\circ} 53' 52''$  West for a distance of 471.90, along said Interstate Highway 293 to the point of beginning.

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RECEIVED  
MANCHESTER CITY CLERK

Ashkar Children's Trust Limited Liability Company  
Mrs. Georgette Ashkar, Managing Member  
8160 East Quincy Avenue  
Cherry Hills Village, CO 80111  
(303) 796-8128

Mr. John Ashkar  
29 Fairmount Drive  
Danbury, CT 06811  
(203) 792-4963  
JUN 20 P12:21

June 19, 2006

The Board of Mayor and Aldermen  
of the City of Manchester  
One City Hall  
Manchester, NH 03101-2097

Re: Authorization to Pursue Rezoning

To Whom It May Concern:

We, the undersigned, being the owners of the real property sometimes referred to as Map 875, Lot 16, located near Gold Street in Manchester, New Hampshire, hereby grant our authority to GFI Gold Street, LLC, to take any and all actions required or deemed necessary to re-zone the property from "Industrial" to "B 2".

Thank you for your attention to this matter, and if you have any questions please contact our counsel, Susan Perkins of Perkins Ruschena, LLC, at (303) 779-8100.

Sincerely,

Ashkar Children's Trust Limited Liability  
Company

  
By: Georgette Ashkar, Managing Member

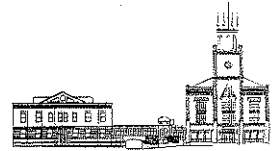
  
By: John Ashkar

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# CITY OF MANCHESTER

## Planning and Community Development



Robert S. MacKenzie, AICP  
Director

Planning  
Community Improvement Program  
Growth Management

Staff to:  
Planning Board  
Heritage Commission  
Millyard Design Review Committee

June 28, 2006

Mr. Leo Bernier, City Clerk  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

Re: *Technical Review, Rezoning Petition – Gold Street*

Dear Mr. Bernier:

In accordance with the procedures on rezoning requests, the following information is being provided to your office in consideration of a rezoning request filed by the owner of one property and agent for a second property on Gold Street (including two lots: Lot 875-15 and 875-16). The subject parcels are located on the south side of Gold Street east of the former Lawrence Rail Branch. The first property is 15.2 acres currently containing the Associated Grocers Building and the second is .85 acres in size that is vacant. The subject properties are currently zoned *Industrial (IND)*. The applicant is requesting that the zoning district be changed to General Business (*B-2*).

Presently, while the parcels are adjacent to a B-2 on one side, the rezoning action would create one parcel that would be zoned IND and surrounded by B-2. As this could be considered spot zoning, we would recommend that the parcel at 835 Gold Street (Lot 875-14; 3.42 acres) also be considered by the Board for rezoning from IND to B-2. In the 1993 Master Plan for the City of Manchester, this area was identified as Industrial land use although the plan also recognized that extension of the business zone into areas of industrial zone was likely and that certain precautions should be taken. The key precaution from the Master Plan as it relates to this rezoning request states "...the proposed district should be evaluated to insure that possible projects will not encourage additional traffic impacts upon residential areas..." The applicants, working with the City, have devised a traffic calming plan to mitigate impacts on Gold Street and Sewall Street which may be considered by the Board of Mayor and Aldermen.

From a technical perspective, the petition may be forwarded to the Board of Mayor and Aldermen for consideration. Consistent with the policy for rezoning petitions, the planning staff is providing a copy of the petition to the Planning Board, the Building Department and the Office of the City Solicitor for comment.

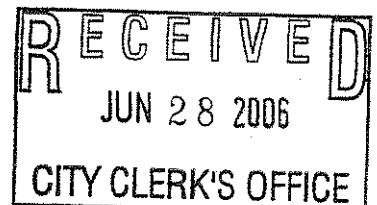
I will be available for any questions that the Board may have.

Sincerely,



Robert S. MacKenzie, AICP  
Planning Director

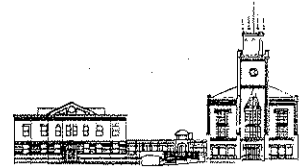
C: Planning Board  
Office of the City Solicitor  
Building Department  
Economic Development Office  
One City Hall Plaza, Manchester, New Hampshire 03101  
Phone: (603) 624-6450 Fax: (603) 624-6529  
E-mail: [planning@ManchesterNH.gov](mailto:planning@ManchesterNH.gov)  
[www.ManchesterNH.gov](http://www.ManchesterNH.gov)





# CITY OF MANCHESTER

## Manchester Economic Development Office



August 3, 2006

Honorable Board of Mayor and Aldermen  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

RE: Proposed Amendment to Zoning Map – Gold Street

Honorable Board Members:

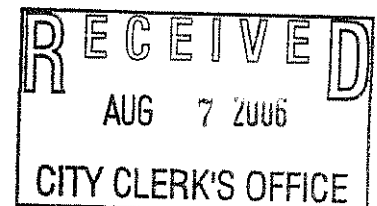
This to recommend the extension of the B-2 Zoning District to encompass the former Associated Grocer's Site, 725 Gold Street and an adjacent parcel. The proposed redevelopment of the Associated Grocers site into a new Home Depot store is projected to cost over \$21,000,000 and generate \$193,000 in new property tax revenue to the City annually. In addition the project will allow Home Depot to expand in the City of Manchester, rather than relocating out-of-town. The existing space leased by Home Depot is in great demand by quality national retailers and will be redeveloped in short order.

In addition GFI/Home Depot development venture is contributing \$4,000,000 to the Gold Street Improvement Project. This project will widen and/or bypass narrow portions of Gold Street and improve and signalize neighborhood street intersections resulting in improved traffic flow, increased safety, curbside visitor parking, sidewalks and landscaping. This improvement to Gold Street will enable the City to entertain additional retail zoning requests near the Associated Grocer/Home Depot site which could generate significant additional investment and new property tax revenue while reducing industrial traffic truck traffic in the area. Based on acreage and lot coverage projections, the City could realize as much as \$184,000 in additional new property tax revenue from future adjacent retail development. In addition, the City could negotiate to recover a portion of the City's Gold Street improvement costs from future developers.

The Gold Street site is adjacent to the growing and successful South Willow Street retail district in close proximity to residential neighborhoods. Industrial truck traffic is incompatible with consumer and neighborhood traffic automobile. In my recommendation that the highest and best use of this site is retail, not industrial.

Sincerely,

  
Paul J. Borek  
Economic Development Director



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To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery

ought to pass.

*(Aldermen Duval, Lopez, Garrity, and Pinard recorded in favor; Alderman Gatsas opposed)*

IN BOARD OF MAYOR & ALDERMEN

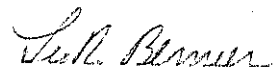
DATE: September 5, 2006

ON MOTION OF ALD. Garrity

SECONDED BY ALD. Smith

VOTED TO table.

Respectfully submitted,



Clerk of Committee



# City of Manchester New Hampshire

*In the year Two Thousand and Six*

## AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin's Cemetery"

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin's Cemetery and being more particularly bounded and described as follows:

Beginning at a point at the centerline of Bradley Street at a point opposite the property lines of New Beech Hill Development Company, LP (TM 691-15A) and the Diocese of Manchester (shown on a subdivision plan approved by the Planning Board on February 23, 2006 as TM 691-143-1), said point being on the zone boundary line of the R-3 (Urban Multi-family) district and the R-1B (Single-family), prior to this amendment;

Thence, westerly across the Right of Way of Bradley Street and continuing along the northerly boundary of said property of the Diocese of Manchester TM 691-143-1, said line also being the zone boundary line between the R-3 (Urban Multi-family) district and the R-1B (Single-family), prior to this amendment, approximately 1206 ft. to a point;

Said point being the end of the northerly boundary of the Diocese of Manchester TM 691-143-1, and at the intersection with the following properties: TM 691-143, TM 691-135, TM 691-136 and TM 691-15A;

Thence, southerly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of 285.94 ft. to a point;

Thence, easterly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of 295.71 ft. to a point;

Thence, southerly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of approximately 130 ft. to a point, said point being on the edge of the proposed Right of Way of the Gold Street Bypass;

Thence, easterly across the Right of Way of the Gold Street Bypass to the centerline of said Bypass a distance of approximately 30 feet to a point;



# City of Manchester New Hampshire

*In the year Two Thousand and Six*

## AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin's Cemetery"

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Thence, northeasterly and easterly along the centerline of the Right of Way of the Gold Street Bypass as extended to the centerline of Bradley Street a distance of approximately 1,017 feet to a point;

Thence northerly along the centerline of Bradley Street to a point opposite the property lines of New Beech Hill Development Company, LP (TM 691-15A) and the Diocese of Manchester (TM 691-143-1) a distance of approximately 324 feet to a point, said point also being the point of beginning.

Said description meaning to include a portion of property of the Diocese of Manchester (shown on a subdivision plan approved by the Planning Board on February 23, 2006 as TM 691-143-1) consisting of approximately 8.1 acres of private land, to be rezoned from the R-1B (Single-family) zoning district to the R-3 (Urban Multi-family) zoning district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.

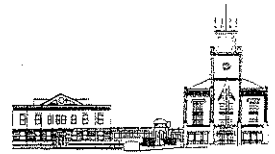


Robert S. MacKenzie, AICP  
Director

# CITY OF MANCHESTER

## Planning and Community Development

Planning  
Community Improvement Program  
Growth Management



Staff to:  
Planning Board  
Heritage Commission  
Millyard Design Review Committee

July 20, 2006

Honorable Board of Mayor and Aldermen  
City Hall  
One City Hall Plaza  
Manchester, New Hampshire 03101

*re: Rezoning of Diocese Property behind Gold Street*

Honorable Board Members:

This is to submit a request for rezoning for a portion of the Diocese Property adjacent to the proposed Gold Street Bypass from a single-family district (R-1B) to a multi-family district (R-3). The agreement that the Board recently acted upon called upon the City to initiate this rezoning. The Diocese has offered to donate the land necessary to create the new Gold Street Bypass as part of an overall plan to mitigate traffic in the area.

As this rezoning and the subsequent dedication of street area is necessary to complete the traffic improvements, it may be appropriate for the Board to time the final action on the rezoning of the Associated Grocers site with the rezoning of the Diocese property to insure that the creation of the Bypass is feasible.

From a technical standpoint, the Diocese rezoning is an extension of an existing multi-family zoning district and there are no other specific issues to preclude the rezoning to proceed to public hearing.

If you have any questions, I will be available at your next meeting.

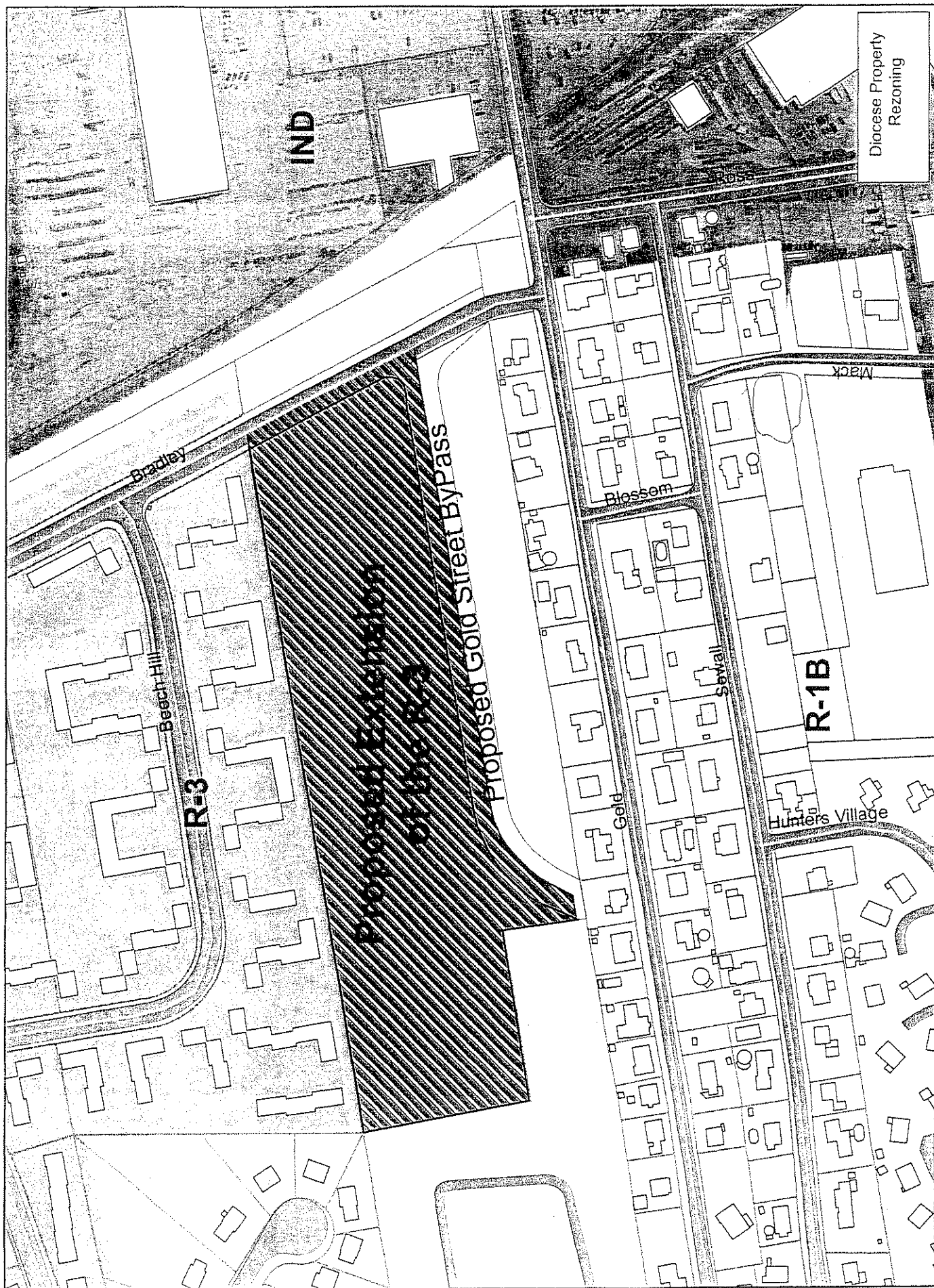
Sincerely,

Robert S. MacKenzie, AICP  
Director of Planning & Community Development

C: Planning Board  
Building Department  
Brad Cook  
Tom Arnold  
Paul Borek

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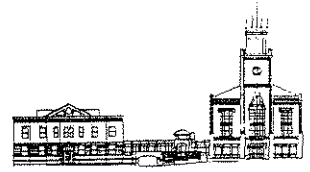
One City Hall Plaza, Manchester, New Hampshire 03101  
Phone: (603) 624-6450 Fax: (603) 624-6529  
E-mail: [planning@ManchesterNH.gov](mailto:planning@ManchesterNH.gov)  
[www.ManchesterNH.gov](http://www.ManchesterNH.gov)





# CITY OF MANCHESTER

## Manchester Economic Development Office



August 3, 2006

Honorable Board of Mayor and Aldermen  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

RE: Proposed Amendment to Zoning Map – Diocese Property Behind Gold Street

Honorable Board Members:

This is to recommend that the R-3 Zoning be extended south to encompass a 9-acre parcel created by the Manchester Diocese donation of right-of-way for the proposed Gold Street Bypass. The remaining Diocese property, between the new Gold Street Bypass and existing single family homes will retain single family zoning allowing for a compatible buffer between existing homes and the proposed Bypass.

By donating the requested right-of-way, the Manchester Diocese enabled the City of Manchester, with the generous assistance of Home Depot, to solve a decades old traffic problem in the Gold Street neighborhood. Without the Diocese donation of right-of-way, further redevelopment of the Gold Street would be prohibited. Doing so allows Home Depot to expand, create new property tax revenue and allows other retailers to expand in or relocate to adjacent parcels the City of Manchester.

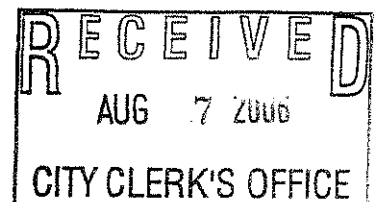
The Global Economic Development Strategy prepared by AngelouEconomics recommends that the City of Manchester “promote diverse housing that is affordable for local workers”, noting the following excerpt from the National League of Cities (<http://www.nlc.org>):

*Local governments are responsible to their residents for maintaining communities where their people can live, work, enjoy recreational activities, and access services. Affordable housing, comprehensive community development, and well-planned and coordinated land use foster communities that are vibrant, diverse and sustainable. Further, these are critical components to the economic vitality of communities and local economic regions for creating jobs and increasing municipal tax base.*

While this parcel is being considered for market rate development, Manchester’s growing employee base in The Millyard, Downtown and throughout the City includes skilled technology and financial service professionals who need housing appropriate to their desires, lifestyle and budgets. New Hampshire business leaders and demographic experts have articulated concerns about maintaining sufficient housing availability for the demand of a growing business economy. The requested rezoning helps to address the need for housing to accommodate the growing Manchester employment base. For these reasons, your approval of this request is recommended.

Sincerely,

Paul J. Borek  
Economic Development Director



One City Hall Plaza, Manchester, NH 03101 Phone (603) 624-6505 Fax (603) 624-6308  
E-mail: [econdev@ci.manchester.nh.us](mailto:econdev@ci.manchester.nh.us) [www.ci.manchester.nh.us](http://www.ci.manchester.nh.us)

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**City of Manchester  
Department of Finance**

One City Hall Plaza  
Manchester, New Hampshire 03101  
Phone: (603) 624-6460  
Fax: (603) 624-6549

**IN BOARD OF MAYOR & ALDERMEN**

**DATE:** April 3, 2007

**ON MOTION OF ALD.** Lopez

**SECONDED BY ALD.** Garrity

**VOTED TO** table.

*Sal. Benner*  
CITY CLERK

March 27, 2007

Board of Mayor and Aldermen  
One City Hall Plaza  
Manchester, NH 03101

RE: Bridge & Elm

Honorable Board Members:

Alderman Lopez has requested an update on the status of payments due the City on the Bridge & Elm project. The payments can be put into one of three categories; Section 108 Loan, Parking and Property Taxes. Each category is discussed below.

Section 108 Loan – The initial payment on this \$500,000 loan was to be accrued interest only. The scheduled payment date was November 27, 2006. Subsequent to the initial payment, on the corresponding date of the next 149 months, the borrower is scheduled to make a payment of principal and interest based on a twenty-five year amortization. A balloon payment of the outstanding balance is due on May 27, 2019. No payments have been received to-date.

When presented with the amortization schedule, the Developer raised questions on the City's interpretation of the loan documents. Over several months, the City and the Developer have exchanged information. At this time, a final resolution has been reached. The City has presented an invoice to bring the Developer current through March 31st (including additional interest accrued since November) and the Developer is submitting the invoice for payment. This process is expected to take several weeks to complete. Hereafter, all future payments are expected to be timely.

Parking – The agreement on the parking garage contains a profit-sharing arrangement between the City and the Developer. To-date, there has not been a "Annual Net Operating Income". Therefore, no payments have been required.

Property Taxes – The City collects property taxes on both the residential building and the parking garage. The FY07 taxes totaled \$529,666 and are paid in full. For comparison, the FY07 debt service on the garage bonds was \$515,531.

If the Board should require any additional information, please do not hesitate to contact me.

Sincerely,

*Randy M. Sherman*  
Randy M. Sherman,  
Deputy Finance Officer

Cc: Brian Dacey

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